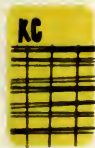


reference collection book



kansas city
public library
kansas city,
missouri



PAUL G. LIBRARY
UNIVERSITY OF CALIFORNIA
SAN FRANCISCO

From the collection of the

o P z n m
u v a
t w p
Preinger
Library

San Francisco, California
2007

VIAGGI DI GIORNATA
NELLE PIANURE
DEL

68

PUBLIC LIBRARY
SANTA FE CITY

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

JANUARY, 1941

No. 1



PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY
THE HISTORICAL SOCIETY OF NEW MEXICO
AND
THE UNIVERSITY OF NEW MEXICO

NEW MEXICO HISTORICAL REVIEW

Editor

LANSING B. BLOOM

Managing Editor

PAUL A. F. WALTER

Associates

PERCY M. BALDWIN

FRANK T. CHEETHAM

GEORGE P. HAMMOND

THEODOSIUS MEYER, O. F. M.

VOL. XVI

JANUARY, 1941

No. 1

CONTENTS

The Beginnings of the Apache Menace of the Southwest	Donald E. Worcester	1
Troublous Times in New Mexico, 1659-1670.	France V. Scholes	15
Franciscan Missions of New Mexico, 1740-1760.	Henry W. Kelly	41
New Mexico's Fight for Statehood, 1895-1912.	Marion Dargan	70
Death of Dr. J. M. Whitlock.	Mrs. B. C. Hernandez	104
Book Reviews:		107
Kluckhohn and Spencer, <i>A Bibliography of the Navaho Indians</i>	W. W. Hill	
Bailey, <i>Diego de Vargas and the Reconquest of New Mexico, 1692-1704</i>	L. B. B.	
Dunne, <i>Pioneer Black Robes on the West Coast</i>	P. A. F. W.	
Caughey, <i>California</i>	L. B. B.	
Notes and Comment:		114
The Index for Volumes I-XV		
The April Issue		
A "New" Fray Marcos de Niza Manuscript.	G. P. Hammond	
Necrology		116
Mrs. Henry Woodruff	P. A. F. W.	
Arthur Leon Seligman	P. A. F. W.	
Martin Gardesky	P. A. F. W.	
Pablo Abeita	<i>Albuquerque Morning Journal</i>	
Arthur Stevenson White	T. C. Donnelly	

Subscription to the quarterly is \$3.00 a year in advance; single numbers (except Vol. I, 1-4, and II, 1) may be had at \$1.00 each.

Volumes III-XIV can be supplied at \$4.00 each; Vols. I-II are out of print in part.

Address business communications to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Mr. Bloom at the University of New Mexico, Albuquerque, New Mexico.

NEW MEXICO
HISTORICAL REVIEW



Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

NEW MEXICO HISTORICAL REVIEW

Editors

LANSING B. BLOOM

PAUL A. F. WALTER

Associates

PERCY M. BALDWIN

GEORGE P. HAMMOND

FRANK T. CHEETHAM

THEODOSIUS MEYER, O. F. M.

VOLUME XVI

1941

PUBLISHED QUARTERLY BY
THE HISTORICAL SOCIETY OF NEW MEXICO
AND
THE UNIVERSITY OF NEW MEXICO

CONTENTS

NUMBER 1, JANUARY, 1941

	<i>Page</i>
The BEGINNINGS of the Apache Menace of the South-west Donald E. Worcester	1
Troublous Times in New Mexico, 1659-1760 France V. Scholes	15
Franciscan Missions of New Mexico, 1740-1760 (continued) Henry W. Kelly	41
New Mexico's Fight for Statehood, 1895-1912 Marion Dargan	70
Death of Dr. J. M. Whitlock . Mrs. B. C. Hernandez	104
Book Reviews:	107
Kluckhohn and Spencer, <i>A Bibliography of the Navaho Indians</i> W. W. Hill	
Bailey, <i>Diego de Vargas and the Reconquest of New Mexico, 1692-1704</i> L. B. B.	
Dunne, <i>Pioneer Black Robes on the West Coast</i> P. A. F. W.	
Caughey, <i>California</i> L. B. B.	
Notes and Comment:	114
The Index for Volumes I-XV	
The April Issue	
A "New" Fray Marcos de Niza Manuscript	
Necrology	116
Mrs. Henry Woodruff P. A. F. W.	
James Leon Seligman P. A. F. W.	
Martin Gardesky P. A. F. W.	
Pablo Abeita <i>Albuquerque Morning Journal</i>	
Arthur Stevenson White T. C. Donnelly	

NUMBER 2, APRIL, 1941

Map of Military Posts in Southwest, 1848-1860	
Military Posts in the Southwest, 1848-1860 A. B. Bender	125
Franciscan Missions of New Mexico, 1740-1760 (conclusion) Henry W. Kelly	148
Troublous Times in New Mexico, 1659-1670 (continued) France V. Scholes	184

~~Bound~~
Periodical

MAR 6 1942

	<i>Page</i>
Indian Affairs in New Mexico under the Administration of William Carr Lane. From the Journal of John Ward.	
Edited by Annie Heloise Abel	206
The Credibility of the Fray Marcos Account	
Carl O. Sauer	233
Editorial Section:	244
Was Fray Marcos a Liar? L. B. B.	
Necrology:	247
Henry Bert Jones P. A. F. W.	

NUMBER 3, JULY, 1941

Contraband Trade between Louisiana and New Mexico in the Eighteenth Century	249
Henri Folmer	
The Government and the Navaho, 1878-1883	
Frank D. Reeve	275
Troublous Times in New Mexico, 1659-1670 (conclusion)	313
France V. Scholes	
Indian Affairs in New Mexico under the Administration of William Carr Lane. From the Journal of John Ward (conclusion).	
Edited by Annie Heloise Abel	238
Childhood Memories of the Rio Grande in Flood	
Maude McFie Bloom	359

NUMBER 4, OCTOBER, 1941

Antoine Leroux, New Mexico Guide, Grant Foreman	367
New Mexico's Fight for Statehood, 1895-1912	
Marion Dargan	379
The Coronado-Bocanegra Family Alliance	
Lansing B. Bloom	401
Book Reviews:	432
Rister and Hafen, <i>Western America</i>	
George P. Hammond	
Dunham, <i>Government Handout</i>	P. A. F. W.
Fritz, <i>Colorado, the Centennial State</i>	L. B. B.
Necrology	439
P. A. F. W.	
George W. Hay; Charles A. Reynolds; Claude T. Smith; George C. Lougee; Harry Lee Patton; Charles C. Gilbert; E. L. Enloe	
Notes and Comments	446



Courtesy Albuquerque Morning Journal

THE LATE PABLO ABEITA, ISLETA PUEBLO
(See Necrology)

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

JANUARY, 1941

No. 1

THE BEGINNINGS OF THE APACHE MENACE OF THE SOUTHWEST

By DONALD E. WORCESTER

IT HAS BEEN customary for writers to say that the Apache troubles in the Southwest did not begin till near the end of the seventeenth century. H. H. Bancroft stated that "From about 1672 the various Apache tribes became troublesome . . ." ¹ And in another place, "Toward the Spaniards the Navajos were friendly down to 1700, but in that year they committed some depredations, . . ." ² R. E. Twitchell said, "The Spaniards first began having serious trouble with the Navajo tribe shortly after the Pueblo uprising of 1680." ³ A study of the documentary evidence reveals that these distinguished historians were mistaken, and that the Apache menace is as old as the first Spanish occupation of the Southwest. Clearly, the Apaches were better known to the early Spanish settlers and explorers than to modern historians.

Although they were not known at first by the name Apache—believed to be a corruption of the Zuñi word *ápachu* (enemy), their name for the Navajos ⁴—the nomadic bands of Athapascan linguistic stock were encountered from the outset by nearly every Spanish expedition into the

1. H. H. Bancroft, *History of Arizona and New Mexico*, San Francisco, 1888, p. 170.

2. *Ibid.*, 222.

3. R. E. Twitchell, *Leading facts of New Mexican history*, Cedar Rapids, 1912, ii, 43.

4. F. W. Hodge, *Handbook of American Indians*, Washington, 1907, i, 63.

region. The purpose of this paper is to make known some of the early meetings between Spaniards and Apaches.

The first Europeans to see the Apaches were presumably the soldiers of the Coronado expedition, 1540-42. Castañeda, chronicler of that adventure, tells that when they were ten days' journey beyond the Pecos River, they came upon Indians living like Arabs, who were called Querechos, or buffalo-eaters. He noted a peculiarity of this tribe in their prevalent use of dogs as beasts of burden, which served to identify them as the Indians who came to be called Apaches Vaqueros, a term that included nearly all the buffalo hunting Apaches.⁵ Castañeda said of the Querechos, "They have better figures than the Pueblo Indians, are better warriors, and are more feared,"⁶ indicating that some conflict between the Pueblo Indians and the Querechos must have existed prior to 1541. That the ancient pueblo tribes lived in constant fear of attacks is proven by their efforts to fortify their homes. At Coolidge, Arizona, for example, there is the ruin of the Casa Grande pueblo, which, being situated on an open plain, was surrounded by a wall, and which had a high tower that was used as a lookout for the approach of raiding parties.⁷ The last period of occupation of this village, as determined by dendrochronology, was between 1300 and 1400 A. D. Other pueblo ruins show signs of attacks upon them for which the Apaches and Navajos might well be blamed, although there is no conclusive proof of their responsibility. Contrary to the belief expressed by F. W. Hodge that the Apaches did not molest the Pueblo tribes before the seven-

5. *Ibid.*

6. G. P. Winship, *Journey of Coronado*, N. Y., 1904, p. 111.

7. It is known that the Casa Grande tower was not built to live in by the fact that the lower stories were filled in to support the weight of the upper walls. In the latter part of the seventeenth century, Kino visited Casa Grande, and wrote: "It is said that the ancestors of Montezuma deserted and depopulated it, and, beset by the neighboring Apaches, left for the east or Casas Grandes, . . ." (H. E. Bolton, *Kino's memoir of Pimeria Alta, 1683-1711*, Cleveland, 1919, i, 128). Manje reported, "An arquebus-shot away are seen twelve other half fallen houses, also having thick walls, and all with their roofs burned." (*Luz de tierra incógnita*, libro ii, cap. 5). The fact that the roofs were burned suggests Apache raids, since one of their raiding stratagems was to set the roofs of buildings on fire.

teenth century,⁸ Castañeda's statement, together with the evidences of assaults upon pueblos, and the fact that "Apache" originally meant enemy, are strong indications that the pueblo peoples had reason to fear and hate the Apaches long before the coming of Coronado.

Bustamante's account of the Rodríguez expedition of 1581 indicates that Querechos were seen on the journey through New Mexico. Bustamante said: "Reaching some plains and water holes, which they gave the name Los Llanos de San Francisco and Aguas Zarcas, they saw many herds of cows that come there to drink . . . There they found a ranchería of a different nation from those they had left behind, going to kill cattle for their food. They carried their provisions of maize and dates (*dátil*) loaded on dogs which they raise for this purpose."⁹

In spite of the view held by Charles Amsden that none of the sixteenth century expeditions had any contact with the Navajos, or learned of their existence in any specific way,¹⁰ Espejo met some mountain Querechos near Ácoma in 1582, who were presumably Navajos, or Apaches del Navajó, as they were first called. The relation between the Spaniards and Navajos were similar to those between Spaniards and Apaches, and due to the confusion that existed in regard to these tribes, many early accounts referred to Apaches when actually Navajos were meant. The Navajos were considered part of the Apache nation, but the chief connection was that both belonged to the Athapascan linguistic family.

In 1590 Castaño de Sosa visited the Pecos region and saw the Querechos and their dogs. Castaño spoke of them as Vaqueros, because they followed the buffalo. No friendliness whatever was shown by these Indians, for they attacked the party, and killed one member, an Indian. Moreover, they

8. F. W. Hodge, "Early Navaho and Apache," *American Anthropologist*, o.s., viii, 1895, p. 239.

9. H. E. Bolton, *Spanish exploration in the Southwest*, N. Y., 1916, p. 148.

10. C. Amsden, "Navaho origins," *NEW MEXICO HISTORICAL REVIEW*, vii, 1932, p. 194.

stole a number of Castaño's cattle. Captain Cristóbal de Heredia and five soldiers were soon in pursuit of the cattle thieves, and besides killing a number of them, the soldiers returned with four captives. One of these was hanged, while the other three, because of their extreme youth, were spared, and kept to serve as interpreters.¹¹ These incidents probably mark the first recorded clashes between Apaches and Spaniards, and were the precursors of nearly three centuries of bitter warfare. The practice of seizing Apaches for slaves became a profitable occupation of some of the Spanish settlers of New Mexico, and it was a constant source of irritation to the Apaches and Navajos.

Don Juan de Oñate wrote on 2 March, 1599, "We have seen other nations such as the Querechos, or herdsmen, who live in tents of tanned hides among the buffalo. The Apaches, of whom we have also seen some, are innumerable, and although I heard that they live in rancherías, a few days ago I ascertained that they live like these in pueblos, one of which, eighteen leagues from here, contains fifteen plazas. They are a people whom I have compelled to render obedience to His Majesty, although not by means of legal instruments like the rest of the provinces. This has caused me much labor, diligence, and care, long journeys, with arms on the shoulders, and not a little watching and circumspection; indeed, because my *maese de campo* was not as cautious as he should have been, they killed him with twelve companions in a great pueblo fortress called Ácoma, which must contain about three thousand Indians."¹² An alliance between the Apaches and the Pueblo Indians, such as those which were common later on, may have been the cause of Oñate's apparently erroneous belief that the Apaches dwelt in permanent pueblos. In reporting his journey to the plains in 1601, Oñate evidently considered that a safe passage through the Apache country was a noteworthy feat, for he wrote with pardonable pride, "we were not disturbed by them at all,

11. Pacheco y Cárdenas, *Colección de documentos inéditos*, Madrid, 1871, xv, 210.

12. H. E. Bolton, *op. cit.*, p. 217-18.

although we were in their lands, nor did any Indian become impertinent.”¹³

Accounts concerning the Apaches and Navajos during the early years of the seventeenth century are rather scarce, but available reports run so thoroughly in the same vein as clearly to indicate that raids by those Indians upon the converted tribes, the Spanish outposts, and the Spanish horse herds were continual from the first days of Spanish settlement of the Southwest.

The Apaches began acquiring horses as soon as there were any to be had. Ranches were begun in New Mexico about 1600, and the Apaches soon found horse stealing an occupation which was well suited to their way of life. So troublesome were their depredations during the first years of the province, that early in 1608 Father Lázaro Ximénez informed the viceroy that the Spaniards and Christian Indians of New Mexico were regularly harassed by the Apaches who destroyed and burned the pueblos, waylaid and killed the natives, and stole the horses of the Spaniards. He asked that the governor be required to keep some soldiers in the field for the defense and security of the land, as there was much grumbling among the natives.¹⁴ This served as the official declaration of a long and sanguine conflict between Spaniards and Apaches, which greatly hindered the Spanish advance into the rich mining and agricultural regions of northern New Spain. When the Spaniards gained control of the pueblo tribes, they were forced to protect them from Navajo and Apache raids. Thus, they inherited indefatigable foes who were to make their hold on the entire area a tenuous one for centuries to come.

The acquisition of the horse by the Apaches served greatly to augment the Apache danger, for horses furnished them a certain food supply and at the same time made pos-

13. *Ibid.*, 253.

14. Mandamiento para que el governador de la nueva mexico conforme al numero de gente y armas que obiere en aquel pressidio procure que ande una squadra que acuda al remedio de los daños que hacen los yndios apaches de guerra en los amigos y cavallada de Españoles, 6 de março, 1608. A. G. I. 58-3-16. Bancroft Library transcript.

sible the extension of their range and increased their fighting ability. Mounted, the Apaches presented a problem unlike any by which the Spaniards had previously been plagued. Whereas it was fairly simple to surround a pueblo and force the occupants to surrender, the Apaches had no homes or towns to be defended, and no large armies to be defeated. Furthermore, they generally did not risk battle without first making sure that their force was superior in strength to that of their enemies, not from any cowardice, but because the loss of warriors was severely felt. Plunder was the main objective in their raids; if this could be accomplished without fighting, so much the better.

Apache hostility was mentioned in a memorial on New Mexico by Fray Francisco de Velasco, probably written in the summer of the year 1608: "The second [reason not to abandon the converts] is that those Indians have become so friendly with the Spaniards, they have lost the friendship of the Picurías, Taos, Pecos, Apaches, and Vaqueros. The latter have called a general convocation among themselves and among other barbarous tribes for the purpose of killing and putting an end to our friends as soon as the Spaniards leave them. This will most certainly come to pass. If the colonists are withdrawn and the religious remain among the Indians, we must believe they will have no better fortune than the Indians."¹⁵

In the royal cedula of 20 May, 1620, the king referred to a letter from the *cabildo justicia y regimiento* of Santa Fé, of the year 1617, in which there was a description of the perilous state of that new settlement, because it had only forty-eight soldiers and was surrounded by several Indian nations. Part of the danger, at least, was probably due to the Apaches. In 1622 the converted Jémez Indians were forced to abandon one of their pueblos because of raids of the Navajos from the northwest.¹⁶

Fray Alonso de Benavides, in his report on New Mexico

15. Fray Francisco de Velasco, *Memorial de Nuevo Mexico* [considered in Council], 9 April, 1609, A. G. I. 59-1-5 (Mexico 128). Bancroft Library transcript.

16. F. W. Hodge, *op. cit.*, p. 234.

in 1630, gave an account of the different bands and divisions of Apaches then known. First were the Apaches del Perrillo, of whom he wrote, “. . . and although these Apaches are very bellicose, they are more confiding than the preceding nations, and we can pass by them with less fear, . . .”¹⁷ Benavides considered as Apaches all of the outlying tribes of New Mexico, and believed there were more Apaches than all the tribes of New Spain together, a gross exaggeration, needless to say. “They are a very energetic people and very fierce in war. . . .”¹⁸ It is a nation so bellicose that it has been a crucible of courage for the Spaniards, and for this they esteem them very much, and say that the Spaniards deserve the title of people, and not the nations of the Indian pueblos.”¹⁹ Fray Alonso had more to say concerning the Apaches del Navajó. A convent and church had been founded in the pueblo of Santa Clara, consisting of the Christian Tehua nation, who were near the frontier and who suffered much damage from these Apaches. “This is the most warlike Province of all the Apache Nation, and where the Spaniards have well shown their valor.”²⁰ He stated that all of the pueblo tribes were inclined to painting, but to do so they needed a certain light stone (*pedra lumbre*) which was found only in the Navajo country. Two or three thousand Indians, according to Benavides, would go to the Navajo lands to get the stone. They would fight with the Navajos, and many would be killed. The Navajos would then wage a war of retaliation against the Christians. Said Benavides, “There were so many Navajos that in two days they could assemble more than 30,000 warriors, and this is no exaggeration because sometimes the Spaniards have gone there to punish them for the many Christian Indians they killed, and although they

17. Alonso de Benavides, *Memorial*, 1630. (In Gaspar de Villagr a, *Historia de Nueva Mexico*, 1610 (Mexico, 1900 edition), Apendice segundo, p. 13) “y aunque estos apaches son muy belicosos, son de mas confianza que las naciones antecedentes, y pasamos por ellos con menos cuidado. . . .”

18. *Ibid.*, p. 39.

19. *Ibid.*, p. 41.

20. *Ibid.*, p. 44.

approached cautiously and took them unaware, they always found the fields full of countless people."²¹

In Benavides' day there were a number of attempts to convert the Apaches and Navajos. Those Spaniards who were engaged in the profitable, albeit illegal, occupation of selling Apache captives for slaves in the mines of El Parral, were not kindly disposed toward the conversion of Apaches. Benavides told of persuading a certain chief of a *ranchería* of Apaches Vaqueros to agree to conversion for himself and his people. Unfortunately, the Spanish governor sent out a large force of friendly Indians to capture for him as many Apaches as they could. The *ranchería* of the chief who had promised to accept Christianity was raided, and the chief, among others, was killed.

Such acts as the above mentioned one crystallized Apache hatred of the Spaniards, and widened the breach between them. The Apaches gradually became a more serious threat to the security of the province. On 26 September, 1638, Fray Juan de Prada wrote concerning the state of affairs in New Mexico: "These *encomenderos* are under obligations to participate with their arms and horses in the defense both of the natives as well as of the religious who are in the frontier pueblos and live in constant danger from the Apache Indians. These are a very warlike people who live in *rancherías* in the environs of the converted pueblos, against which that nation [the Apache] makes continuous attacks. Thus, in order to guard against these attacks, soldiers are always provided, and in times of special danger they are accustomed to hire others to assist them to form convoys, and for this they give them, at their own expense, arms and horses."²² Fray Juan furthermore mentioned a tendency of the Christian Indians to flee to the Apaches whenever they were annoyed at the soldiers or settlers. This coöperation between Apaches and pueblo Indians was of par-

21. *Ibid.* Clearly, 30,000 warriors would have been more than the Apaches and Navajos together could have assembled.

22. C. W. Hackett, *Historical documents relating to New Mexico, Nueva Vizcaya, and approaches thereto*, Washington, iii, 110, 1937.

amount importance during the era of the Pueblo Revolt of 1680.

Also referring to New Mexico are the words of Francisco de Baeza of 12 February, 1639. "There are perhaps in the entire [province] and its settlements two hundred persons, Spaniards and *mestizos*, who are able to bear arms, as they do in defense of the converted Indians, who frequently suffer injuries from the neighboring Apaches. These are warlike and, as barbarians, make unexpected attacks upon them. To their defense the governors and [Spanish] inhabitants repair, punishing the Apaches severely. As a result the Apaches restrain themselves and the converted Indians are saved, for the Apaches see that the Spaniards defend them and that those are punished who disturb them."²³

During the term of Governor Hernando de Ugarte, 1649-53, the Jémez Indians revolted, aided by the Apaches, and a Spaniard was killed. The disturbance was soon quelled, and by order of the governor, twenty-nine Indians were hanged. In 1650 a plot of the Tehuas and Apaches to kill the friars and soldiers on Thursday night of Passion Week was discovered in time to prevent a massacre. Ugarte wrote from Santa Fé in September, 1653, that he had discovered a very large league and convocation between Apaches and Christian Indians.²⁴

Apaches raided the Jumano village east of Abó during the administration of Governor Juan de Samaniego, 1653-56, and carried off twenty-seven women and children. An expedition led by Juan Domínguez de Mendoza was sent against them, and he left them severely punished. The following year the Navajos attacked the pueblo of Jémez, killing nineteen and taking thirty-five captives. Once more Juan Domínguez led the pursuit. He surprised the Navajos during a native ceremonial, killed several, captured two hundred and eleven, and freed the prisoners, including a Span-

23. *Ibid.*, iii, 119-120. Baeza had been governor of New Mexico in 1635-37.

24. Letter of El General Hernando de Ugarte y la Concha, A. G. I., 67-3-33 (Guadalajara 139). Bancroft Library transcript.

ish woman.²⁵ Most of the captured Navajos were undoubtedly divided as booty among the soldiers, following the custom of punitive expeditions. Navajo and Apache slaves were apparently always in demand, and large numbers of them were sold during the 1650's, which contributed to the ever-growing hostility of the Apaches. Punitive expeditions were the chief means used to acquire Apache slaves, but governors and colonists were not averse to employing other methods, such as seizing Apaches when they came to settlements to trade, and provoking trouble on 'peaceful' trading ventures to the Apache rancherias, or by enlisting Indian allies to capture Apaches for them.

The administration of Governor Manso de Contreras, 1656-59, was characterized by the usual campaigns against the Apaches. In 1658, Apaches (Navajos?) raided the Zuñi pueblos, and in the following year they attacked other frontier pueblos. Manso's successor, Bernardo López de Mendizábal was chiefly concerned with the speedy aggrandizement of his personal fortune, and he followed the example of his predecessors in sending Navajo and Apache captives to the slave markets of New Spain. He was accused of forcing the citizens to sell their Apaches to him or seizing them outright, to increase the number he had to offer for sale.²⁶ Fray Juan Ramírez testified against Mendizábal, on September 8, 1659: "Very great, Sir, has been the covetousness of the governors of this kingdom wherein they have, under color of chastising the neighboring enemy, made opportunity to send, apparently in the service of his Majesty, squadrons of men to capture the heathen Indians to send them to the camps and mines of El Parral to sell (as Governor Don Bernardo de Mendizábal is doing at present, he having sent there more than seventy Indian men and women to be sold). This is a thing which his Majesty and the señores viceroys have forbidden, under penalty of disgrace, deprivation of office, and loss of property, but no attention is paid to the

25. F. V. Scholes, "Troublous times in New Mexico 1659-70," *NEW MEXICO HISTORICAL REVIEW*, xii, 149.

26. *Ibid.*

order on account of the great interests involved ; hence God, our Lord, through this inhuman practice is losing innumerable souls of the heathen hereabout, who have, from fear of it, conceived a mortal hatred for our holy faith and enmity for the Spanish nation. For this purpose of making captives, the governor on the fourth of September of this year, 1659, sent out an army of eight hundred Christian Indians and forty Spaniards, though there was evident risk at the time the army set out that trouble would ensue, for the kingdom was then full of bands of heathen who have entered the pueblos of Las Salinas, the *camino real*, and the farms of El Río, and also the pueblos of Hemes, San Ildefonso, and San Felipe. In these pueblos they have killed some Christian Indians and have carried off others alive to perish in cruel martyrdom. They have also driven off some herds of horses and mares. All this is because the populous region is undefended, the troops having been sent off inland for slaves under the pretense above stated, and we are afraid, lest the heathen may come in suddenly while they are absent and destroy some of the settlements. And even though this might not happen, there cannot fail on this account, Sir, to come great hunger and loss of life, for the army went away at the time when the corn was maturing, and there are eight hundred and forty cornfields left to go to ruin without their owners, at the mercy of the bears and other wild beasts, which constantly destroy the crops, while the heathen lay waste the one and catch the other. But on account of the absence of the inhabitants, it is to be expected that grave ruin will come to this poor kingdom, which has just been through so serious a famine that the natives had to sustain themselves on seeds of grasses, *tierra blanca*, . . .

“For the said *entrada* the governor has used the corporal and his squad which is in his Majesty’s pay for the sole purpose of guarding the wagons and mules which belong to the *real hacienda*, and has left the latter in the country with no defense whatever, in manifest danger inasmuch as the heathen have entered our settlements, that the latter will

carry off the mules and kill the muleteers."²⁷ The evils outlined by Fray Juan Ramírez, which were certainly not peculiar to the administration of López de Mendizábal, deserve serious consideration in a study of the causes of the Pueblo Revolt of 1680, for ensuing famines and Apache raids reduced the population of the settlements and the number of horses and cattle, and gave the Christian Indians much cause for dissatisfaction with the Spaniards. Diego de Peñalosa was questioned concerning the Indians whom Mendizábal held as slaves. "He said that they were not property, for the audiencia of Guadalajara has commanded that Indians shall not be sold or enslaved, and has declared them free, ordering that all those whom Don Juan Manso and Don Bernardo had sold in El Parral, or whom the governor had sold in Sonora, should be placed at liberty, and that those who had bought them should demand the price from the sellers. [He mentioned] reports . . . in which it was shown that Don Bernardo had sold seventy or eighty Indians."²⁸

Relations with the Apaches became more acute during the 1660's. Even so, some Piros were so discontented with their lot under the rule of the Spaniards, that they conspired with the Apaches, as during the administration of Governor Villanueva, 1665-68, when five Spaniards were killed at Senecú. By 1669 the situation was so bad that Fray Bernal wrote, on April 1 of that year, "... this kingdom . . . is nearly exhausted from suffering two calamities which were enough to put it out of existence, as it is even now hastening to its ruin. One of these calamities is that the whole land is at war with the widespread heathen nation of Apache Indians, who kill all the Christian Indians they can find and encounter. No road is safe; everyone travels at risk of his life, for the heathen traverse them all, being courageous and brave, and they hurl themselves at danger like a people who know no God nor that there is any hell. The second misfortune is that for three years no crops have been harvested.

27. C. W. Hackett, *op. cit.*, iii, 186-7.

28. *Ibid.*, iii, 262.

In the past year, 1668, a great many Indians perished of hunger, lying dead along the roads, in the ravines, and in their huts. There were pueblos (as instance the Humanas) where more than four hundred and fifty died of hunger. The same calamity still prevails . . ."²⁹ Apache incursions caused the abandonment of the Zuñi pueblo of Hawikúh in 1670. Fray Francisco de Ayeta outlined the disasters of the next few years, in a petition for aid in 1679. "It is public knowledge that from the year 1672 until your Excellency adopted measures for aiding that kingdom, six pueblos were depopulated—namely, that of Cuarac, with more than two hundred families, that of Los Humanas with more than five hundred, that of Abó with more than three hundred . . . that of Chililí with more than one hundred, Las Salinas with more than three hundred—restored, as has been said—, and Senecú, both of these last being frontiers and veritable keys to those provinces."³⁰ Thus, because of Apache raids, drouths, and famines, the Salinas pueblos, as well as others, were deserted during the turbulent decade preceding the Pueblo uprising of 1680.

Fray Francisco de Ayeta, *procurador general* and custodian of the provinces of New Mexico after 1674, took up the struggle to save the province from the imminent destruction by the Apaches. He accompanied one wagon train of men, arms, munitions, and horses to New Mexico in 1677, and then returned to Mexico City to petition for more assistance. His second train was nearing the Rio Grande in 1680 when disaster struck the New Mexican settlements. The pueblo Indians, allied with the Apaches, had snapped the last vestiges of the flimsy Spanish control, and the surviving Spaniards and their allies were forced to retreat toward El Paso del Norte.

Thus, the Spanish colonization of the Southwest proceeded from the very beginning under the cloud of Apache terror. Once the Apaches perfected mounted warfare, their

29. *Ibid.*, iii, 271-2.

30. *Ibid.*, iii, 298.

opposition to the Spaniards became more destructive, because they were able to strike at undefended settlements and ranches over a wide area, and then to flee to mountain strongholds where pursuit was extremely hazardous if not impossible. The fourth century Europeans must have felt no greater fear of the Huns of Attila than that inspired in the Spaniards and pueblo Indians by the Apaches who, like the Huns, "were fiercer than ferocity itself." The whitened bones of unfortunate travellers which marked New Mexico's trails, the smoke-scorched foundations of lone ranch houses, and the crumbling walls of deserted pueblos and missions presented mute evidence of the terrors that awaited those who dared to make their homes in Apachería.

TRUUBLOUS TIMES IN NEW MEXICO
1659-1670

By FRANCE V. SCHOLES

(Continued)

CHAPTER IX

PEÑALOSA VS. POSADA

I

THE EMBARGO of the property sent by Governor Peñalosa to New Spain in the autumn of 1662¹ had serious repercussions in New Mexico. It proved to be the parting of the ways in the relationships of the governor and the custodian, Friar Alonso de Posada. The former abandoned whatever friendly feeling he still had for the prelate, and during the year 1663 he adopted an attitude of hostility that finally culminated in the unprecedented action of the arrest of Posada at the end of September of that year.

News of the embargo reached Santa Fé on December 25, 1662, when a messenger arrived from Parral bearing dispatches and copies of the documents relating to the seizure of the property by the ex-governor Juan Manso on orders issued by Posada.² Receipt of these reports created a sensation. According to Posada, the governor considered sending certain soldiers to effect his arrest, but was dissuaded by the advice and counsel of Tomé Domínguez de Mendoza.³ Instead, he sent a sharply worded complaint to the prelate, asking for confirmation of the news.⁴ We have no record of Posada's reply.

1. See Chapter VI.

2. The news was brought by Juan Varela de Losada, who had charge of the livestock that had been sent to Parral.

3. Posada to the Holy Office, Santo Domingo, June 7, 1664. *Proceso contra Peñalosa*.

4. Peñalosa to Posada, Santa Fé, December 25, 1662. *Ibid.*

The governor's attitude was also made clear in a letter sent to Posada on December 27, 1662, by Friar Gabriel de Torija, a resident in the convent of Santa Fé. He wrote: "I have felt great pain in my soul because of having seen the governor express bitterness and anger against Your Reverence. I withdrew from the palace because I heard such evil sounding things [spoken] against the chaste person of Your Reverence. Among such [things] His Lordship said that it was shameful that a creature like Your Reverence should act in opposition to his person . . . It is said that he is preparing reports, [although] I do not know what they contain."⁵ Two days later Torija sent another letter with further news of the governor's activities.⁶

Torija's loyalty to the custodian was not shared by all of the friars in Santa Fé. On December 25 Friar Miguel de Guevara, who had been a close friend and partisan of Peñalosa for some time, sent Posada an extremely outspoken letter criticizing the Parral embargo. In this communication, Guevara expressed doubt whether Posada had possessed authority to embargo the property, without explicit orders to do so and questioned whether the prelate was "a competent judge before whom the decrees in favor of Don Bernardo could be presented." Governor Peñalosa, "as supreme head in this kingdom and legitimate and immediate judge of all temporal cases," should have been notified, and if he had failed to act, then the decrees could have been presented to other authorities, provided there had been specific instructions to do so. "But even in such case, I am not sure that Your Reverence would have been a competent judge, because Your Reverence is an ecclesiastical judge and commissary of the Holy Office of the jurisdiction of New Mexico, but it does not appear that you are [such a judge and commissary] in the [jurisdiction] of Parral; and since El Paso and La Toma del Rio [are in] the jurisdiction of Parral, I do not know how Your Reverence, even if you had special instruc-

5. Torija to Posada, Santa Fé, Dec. 27, 1662. A. G. P. M., Inquisición 598.

6. Torija to Posada, Santa Fé, Dec. 29, 1662. *Ibid.*

tions, could make the embargo outside your jurisdiction.”⁷ Guevara admitted that he did not understand legal technicalities, but stated that “what disturbs me is that we should give cause for a gentleman of the qualities of Don Diego to do what he does not wish to do, despite his nobility, courtesy, and great affection for our Holy Order.”⁸

On the following day, December 26, Guevara addressed a more caustic letter to Friar Salvador de Guerra, the prelate’s secretary. He said that he regretted that at the very moment when it had appeared possible to regain what had been lost as the result of events of the preceding years (refer-

7. The jurisdictional status of the El Paso area at that time is not entirely clear. The Manso mission was administered as part of the custodia of New Mexico, and the governors of the province were frequently called upon to assist and protect the mission. Capt. Andrés López de Gracia, former resident of New Mexico proper, was the first *alcalde mayor* of the El Paso area, and there is some evidence that he was appointed by Governor López de Mendizábal. Hughes, *The Beginnings of Spanish Settlement in the El Paso District* (Berkeley, 1914), p. 311. In 1662 ex-governor Manso alleged, in proceedings against López de Mendizábal, that the latter had made a certain deal with Francisco Ramírez, son-in-law of Capt. Andrés López de Gracia, “para que saliese destas provincias con toda su casa y familia y ganados y se fuesse a bibir a la toma del Río con el dho. su suegro.” A. G. P. M., Tierras 3286. La Toma was in the El Paso area a short distance from the Manso mission. The phrase “saliese destas provincias” is rather indefinite, but may be interpreted as meaning that Ramírez was to leave the jurisdiction of New Mexico. In the same year Posada and his secretary, Friar Salvador de Guerra, accompanied the mission supply train as far as La Toma. In letters of Posada and Guerra to the Holy Office, dated November 28, 1662, we find these statements: (1) “en este estancia de nra. Sra. de guadalupe toma de el Río de el norte y Jurisdiccion de el Parral;” (2) “la toma del Rio del Norte que es donde se acava la Jurisdiccion del nuebo Mexico;” (3) “. . . hasta este paraje de la thoma . . . ques donde se acava la Jurisdiccion del nuebo mexico y enpiesa la de la nueba viscaia.” A. G. P. M., Tierras 3283. In a declaration before the Holy Office, April 19, 1663, López de Mendizábal referred to Posada’s meeting with Francisco Domínguez, who brought the *real provisión* which Posada used as authority to justify the Parral embargo, and he stated that inasmuch as Posada was then on the south bank of the Río Grande, he was “fuera de su jurisdicción.” *Ibid.* In 1663 Capt. Andrés López de Gracia was ordered by the governor of Nueva Vizcaya to move to Casas Grandes, where he later served as *alcalde mayor*. Hughes, *op. cit.*, pp. 311-312; Museo Nacional, Mexico, *Asuntos*, vol. 242, f. 191. In a letter to the governor of Nueva Vizcaya, August 10, 1667, he referred to the case of the killing of a mulatto servant of Friar García de San Francisco at El Paso, and stated that he would go to investigate, thus implying that the area was within the jurisdiction of Nueva Vizcaya. Biblioteca Nacional, Mexico, MSS, Leg. 1, doc. 28. On the other hand, there is evidence that Diego de Trujillo, who held office as *alcalde mayor* of the El Paso area for a short time after Capt. Andrés López de Gracia, was appointed by the “government of New Mexico.” Hughes, *op. cit.*, p. 312. For a discussion of the jurisdictional status of the El Paso area in 1680 *et seq.*, see Hughes, *op. cit.*, ch. 8.

8. Guevara to Posada, Santa Fé, Dec. 25, 1662. A. G. P. M., Inquisición 598.

ring, of course, to the unhappy events of López de Mendizábal's administration), "our Father Custodian has taken measures to disturb the peace of this kingdom and to upset the noble serenity of the governor whom Heaven was pleased to give us in such a stormy time." Despite the fact that Posada, as prelate, had been the person who had greatest cause to appreciate what Peñalosa had done to honor and assist the Franciscans, he had shown the governor discourtesy and ingratitude. "God does not wish that there should be peace and quiet in this kingdom as much as the devil does!"⁹

Not content with these bitter criticisms of his prelate, Guevara sent Posada another letter on January 2, 1663, in which he stated that if the news of the embargo proved to be true, "it will be one of the greatest misfortunes of this kingdom, [as well as] for the Order and reputation of Your Reverence; for it will be necessary for those who wear the habit of St. Francis to explain to their superior prelates such uncalled for, ungrateful, and undeserved acts toward a person like Don Diego, who, in all things and in behalf of all, seeks and has striven for the peace and advancement of this kingdom, the good name of the sons of St. Francis, the veneration of the sacerdotal estate, and, above all, the establishment of the faith, so abased in these realms."¹⁰

Guevara was not alone in criticizing his prelate, for Friar Nicolás de Freitas also wrote to him in much the same terms. Freitas had maintained close and friendly relations with Peñalosa for some time, had served as his chaplain, and had become his personal companion and confidant. In a letter dated January 2, 1663, he called Posada's attention to the fact that the *real provisión* of the *audiencia*, by virtue of which Posada had given orders to embargo the property at Parral, had actually been addressed to Peñalosa, and asserted that the custodian's action had confirmed "what the biting tongue of Mendizábal said in his report, in which he affirmed that the friars of this land do not obey the king."

9. Guevara to Guerra, Santa Fé, Dec. 26, 1662. *Ibid.*

10. Guevara to Posada, Santa Fé, Jan. 2, 1663. *Ibid.*

Moreover, even if Posada had possessed jurisdiction, the embargo was unjustified, "because I can affirm under oath that I have seen everything that belongs to Mendizábal in the possession of the depository; a fact that causes me great confusion, when I hear that Your Reverence embargoed as property of Mendizábal the goods of Pedro de Moya."^{10a} He continued:

What will they say in Mexico when they hear it said that the friars in New Mexico are enemies of the peace, that they cry out so often, "Peace, Peace," *et non erat pax*? What will they say when they see that we give cares in exchange for honors, losses in exchange for property, and in return for Don Diego's friendly attentions we rewarded him with offenses? What will our Very Reverend Father Commissary General say when he hears the things that are told of our ingratitude? What bliss it has created in our rivals, what joy to our enemies! What governor will aid us when he hears that we showed ourselves most opposed to the one who was most inclined toward us? Look here, our father, for the love of God, let Your Reverence consider that to all the holy friars who assist in this wilderness, and to me more than all of them, the cost of peace was much war, that of quiet, many vexations, and that in order to attain it, I found myself among the arrows of the enemy and in the hands of barbarism. And thus that which cost so much is lost for so little. Your Reverence, what reason is left us for hope, for pleasure, for peace, for tranquility? Pardon me, Your Reverence, because deep feeling has not allowed me to be silent, nor has sorrow been able to prevent this heart-felt complaint, which not only I, but the entire custodia and the whole land, are sensible of.¹¹

10a. In January, 1663, a probanza was drawn up to prove that Pedro Martínez de Moya, a member of Peñalosa's entourage, was owner of the Parral shipment. The witnesses who gave testimony were all associates and partisans of the governor. A. G. P. M., Tierras 3283. In testimony before the Holy Office, Peñalosa later admitted that all of his property was held "in the name" of Martínez. *Proceso contra Peñalosa*.

11. Freitas to Posada, Santa Fé, Jan. 2, 1663. A. G. P. M., Inquisición 598.

The letters of Guevara and Freitas were undoubtedly inspired by the governor. Friar Bernardo López de Covarrubias testified that Peñalosa actively sought to have "certain friars follow his action and write [letters]," and that Freitas became such an impassioned advocate "that the said Father went about continually inciting the said governor's anger against the said ministers of the Holy Office, telling him that the said embargo was null and void."¹² Moreover, during his hearings before the Holy Office three years later, Peñalosa admitted that he had read the letters of Freitas and Guevara before they were sent to Posada, and that he asked other friars to write complaints to Posada's superior prelates in Mexico City.¹³ On January 3, 1663, the custodian sent the letters of Torija, Guevara, and Freitas, together with a covering dispatch, to the Holy Office, in order to inform the Inquisitors of the governor's attitude.¹⁴

Peñalosa lost no time in making plans to contest the legality of the embargo. Dispatches and other papers were hastily prepared, and sometime in January, 1663, Tomás Domínguez de Mendoza was sent to Mexico City to institute proceedings to have the embargo revoked. Domínguez was unsuccessful in this mission, and in the autumn of the same year he returned to New Mexico.

II

During the spring and summer of 1663 Peñalosa's attitude toward the custodian became increasingly unfriendly. It appears that Posada, realizing the delicacy of the situation, avoided personal contact with the governor and busied

12. *Proceso contra Peñalosa*.

13. *Ibid.*

14. The letters were received by the Holy Office in December, 1663. In a formal *parecer* addressed to the Inquisitors, the *fiscal* stated that the letters of Guevara and Freitas manifested hostility, or at least lack of respect, for the Inquisition, inasmuch as it was not the function of such friars to question the legality or wisdom of Posada's actions. Moreover, he contested Guevara's view that Posada had no right to exercise authority while he was in the jurisdiction of Parral, for the order authorizing the embargo could be dispatched "in any place whatsoever in which the carts were found." A. G. P. M., Inquisición 598.

himself with affairs of mission administration. But Peñalosa had many other visitors, both lay and ecclesiastical, and with these persons he discussed the embargo on numerous occasions, expressing his indignation in bitter terms.

He sought to maintain the fiction that the property of López that had come into his possession was still intact, and to this end he exhibited to his visitors various items of goods, such as pieces of silver plate, writing desks, piñon nuts, and textile products, that were stored at the Casa Real. To some he also showed the box containing the silver bullion brought from Sonora by Granillo in 1660.¹⁵ Although he must have realized that these tactics were not convincing, in view of the general knowledge that other parts of López' property had been sent to Parral, he maintained a brazen attitude, indulging in dangerous speech concerning the Inquisition and making threats against Posada and the prelate's secretary, Friar Salvador de Guerra.

According to the testimony of several witnesses, he characterized the Inquisitors as "puppets in bonnets" and as "petty clerics of little importance." It was also reported that he asserted superiority over the Holy Office and other ecclesiastical tribunals, because of his position as representative of the Crown. Although he later denied many of these charges, the burden of the evidence clearly indicates that he not only expressed lack of respect for the Holy Office, but made statements showing that he had an exaggerated notion of his position and authority as governor.¹⁶

Several persons, lay and ecclesiastical, testified that the governor also used all manner of derogatory speech concerning Posada and Guerra, and that he berated both friars and laymen who remained loyal to the custodian or maintained friendly contact with him. He composed satires and rude verses concerning Posada and other Franciscans, some of which he read to visitors and members of his household. From time to time he talked about expelling Posada from the

15. *Proceso contra Peñalosa.*

16. *Ibid.*

province, and it was alleged that he even made threats against the prelate's life.¹⁷

This unhappy state of affairs was aggravated in the autumn of 1663 by a dispute over the question of ecclesiastical sanctuary. For reasons that are obscure Peñalosa ordered the arrest of Don Pedro Durán y Chávez, who lived in the Río Abajo area, and his nephew Cristóbal. On August 23, 1663, a detachment of soldiers who were taking the prisoner to Santa Fé for trial arrived at the pueblo of Santo Domingo where they planned to spend the night. The guards carelessly left Don Pedro alone for a short time, and the latter, who was in irons, persuaded an Indian servant to carry him across the plaza to the pueblo church, where he immediately claimed sanctuary. When the governor was informed of what had happened, he gave orders for his secretary, Juan Lucero de Godoy, to proceed to Santo Domingo and seize the prisoner. On Sunday, August 26, Lucero and the soldiers, who had kept a guard over the convent during the intervening three days, violently removed Durán and took him to Santa Fé where he was incarcerated in a cell in the Casa Real.¹⁸

News of this event was immediately dispatched to Posada who was then in residence at the convent of Pecos. Instead of instituting legal proceedings at once against Peñalosa and the soldiers for this violation of ecclesiastical immunity, the custodian thought it would be more prudent, in view of the general situation, to write to Peñalosa, "with entire urbanity, humility, and modesty," asking him to return Durán to the Santo Domingo church. This letter was sent on August 27. In his reply Peñalosa refused to grant the custodian's request and sought to justify and excuse his action, citing various decrees and precedents concerning procedure in cases of ecclesiastical asylum. The guardian of Santo Domingo also made representations to the governor, but without success.¹⁹

17. *Ibid.*

18. Sworn testimony of various witnesses and *Petición e informe*, of Friar Alonso de Posada, May 16, 1664. *Proceso contra Peñalosa*.

19. *Petición e informe*, May 16, 1664.

After receiving Peñalosa's unsatisfactory reply, Posada went to Santo Domingo where he made an informal inquiry concerning the Durán case to satisfy himself that the right of asylum had been violated. He then sent Peñalosa another letter requesting return of Durán to Santo Domingo. To this communication, which was received in Santa Fé on September 16, the governor made no reply. After waiting a few more days, the custodian instituted formal legal proceedings by taking sworn testimony of several witnesses who had been present when Durán was violently removed from sanctuary. Having received this testimony, the prelate, on September 27, issued the *carta monitoria* calling upon Peñalosa, under pain of excommunication, to return the prisoner within twenty-four hours after notification. In case the governor held that he had just cause not to comply with this demand, he should have his attorney present a formal statement to that effect before the prelate and permit the case to proceed according to the usual judicial forms; otherwise, if the prisoner was not released within the stated period, the prelate would invoke the censures with the full rigor of the law.²⁰

It was still Posada's desire, however, to effect a friendly settlement of the dispute without imposing ecclesiastical censure, and to this end he selected Friar Diego de Parraga for the delicate task of negotiating with the governor. Parraga was instructed to go to Santa Fé and make a direct appeal to Peñalosa to release Durán and thus avoid legal proceedings. If the governor, after two appeals of this kind, remained adamant, then Parraga was authorized to make formal notification of the *carta monitoria* drawn up on September 27. Having taken this action, Posada returned to Pecos to await developments.

Taking a lay brother, Friar Blas de Herrera, as his companion, Parraga proceeded to Santa Fé on the afternoon of Friday, September 28. At the convent he was informed that Peñalosa was apparently in no mood for compromise, be-

20. *Ibid.*

cause that very day he had made threats that any representative of the prelate who came to present formal demands would be put in irons. The next day (September 29) when Parraga and Herrera called at the Casa Real, they referred to this threat, and according to Herrera the governor grimly exhibited sets of irons and left no doubt as to the use he planned to make of them. Peñalosa's version of this incident states, however, that the friars came in jesting about the irons, and that he, in similar vein, pointed to three or four pairs in one corner of the room. If the interview started with jest, as may be true, discussion of the business at hand revealed that Peñalosa was determined to resist any pressure, friendly or otherwise, to bring about Durán's release. According to the governor's own account of the conference, he urged his visitors to intervene with the custodian to prevent his excommunication. Parraga's version merely states that "seeing that the said governor and captain general Don Diego de Peñalosa Briceño showed himself stern in discussing the said problem, I tried to find a remedy, writing to . . . Posada . . . describing the situation and requesting that if it were possible the matter should be dropped, since to continue, according to indications, would cause greater scandal." Parraga's letter was written on Sunday, September 30, and he planned to send it to Pecos by messenger on the following day. But when Monday came Parraga learned that the governor, instead of waiting to see what the prelate's next move would be, had already embarked upon a bold course of action.²¹

Firm in his stand not to negotiate or participate in litigation regarding Durán's release and equally determined not to submit to excommunication, Peñalosa decided that the only solution was to expel the custodian from the province. After the interview with Parraga and Herrera on September 29, he discussed his plan with Father Freitas and the lieutenant-governor, Pedro Manso de Valdez, who encour-

21. Declarations of Friar Blas de Herrera, Dec. 14, 1663, and Friar Gabriel de Torija, June 3, 1664; *Petición e informe*, May 16, 1664; testimony of Peñalosa, Dec. 5, 1665. *Proceso contra Peñalosa*.

aged him to carry it out. Toward midnight of September 29-30, he went to Freitas' room (Freitas was living in the Casa Real), and "asked him to consider well, as the learned man that he was, whether he could do what they had discussed regarding the expulsion of the said Father Custodian." Freitas promised to give him a written opinion (*parecer*) approving the plan, and said that he would get Friar Diego de Santander, "who was a jurist," to sign it. There is also evidence that on the evening of September 29, and again the following day, Peñalosa visited the Santa Fé convent, where he made bold threats against the custodian.²²

III

On Sunday afternoon, September 30, Peñalosa summoned the lieutenant-governor and a detachment of soldiers and set out for Pecos, where Posada was in residence. Arriving about nine o'clock in the evening, he was received in a friendly manner by the custodian, who immediately gave orders to have chocolate prepared for his guests. The governor lost no time in making it known that he had come on a serious errand, making thinly veiled threats, but Posada maintained his composure and even facilitated search of his rooms by the soldiers. Peñalosa finally remarked that there were certain questions that he wished to discuss in private, and asked Posada to walk with him into the convent cloister. The following account of their conversation is taken from a long deposition made by the custodian a few months later—

And thus we went out to the cloister, and after we had gone out, he said to me with fury: "Father, can the custodian excommunicate the governor and captain general of this kingdom?"

To which I replied: "Sir, that depends on the [nature of] the case, for if it is one of those contained in canon law, yes, he can [do so], because then the ecclesiastical judge does no more than use and exercise through his office what is ordained in

22. Declaration of Friar Gabriel de Torija, June 3, 1664, and testimony of Peñalosa, Dec. 5, 1665. *Ibid.*

the [canon law] and what the Supreme Head of the Church commands.”

To this the said General Don Diego de Peñalosa replied: “If the custodian excommunicated me, I would hang him or garrote him immediately, and if the Pontiff came here and wanted to excommunicate me or actually did so, I would hang the Pontiff, because in this kingdom I am the prince and the supreme magistrate, and there is no one who may excommunicate the prince and supreme magistrate.”

I replied: “Sir, it is not necessary to bring the person and holiness of the Pontiff into such matters, for it is better to leave His Holiness on the supreme throne he occupies, with the due authority and respect which all faithful Christians must render to him and with which they regard his person. As for hanging him, he is absent; I am here for Your Lordship to hang, and I shall not be the first friar or priest to die in defense of Our Holy Mother the Roman Catholic Church.” . . .

And the above-mentioned General Don Diego, continuing with his replies and propositions, said to me: “Why does Your Reverence have pretensions of excommunicating me for having ordered Don Pedro de Chávez taken from the church of Santo Domingo and held prisoner?”

I replied: “Sir, as an ecclesiastical judge I am obliged to defend the immunity of the Church, and because terms had not been reached for proceeding in the matter judicially. I wrote two letters of supplication to Your Lordship, who, up to now, is not excommunicated nor declared as such. And with regard to the case concerning immunity, you may state through your attorney, proceeding in legal form, the reasons you had for taking [Durán y Chávez] from [sanctuary]. And if the reasons of Your Lordship were sufficient basis for doing so, there is no controversy, because the case is one of those contained in the law, as will be seen in the second part of the Decretals, in *Quest. 4, Cap. 8, 9, and 10*. And if the case is carried to the use of force it is not necessary to hang the Pontiff of the Roman Catholic Church, for by hanging me the affair may be concluded.”

And I replied in this way because he had stated to me for the second time the preceding propositions that he would hang the Pontiff. And to this the said General Don Diego de Peñalosa replied, raising with his right hand the cape and cloak he was wearing in order to show me the pistols he had in his belt, "Now then, we will consider this affair and Your Reverence and all the other custodians of New Mexico will learn what a governor can do; and therefore I order Your Reverence in the name of the king to go with me to the Villa where Your Reverence will see the difficulties cleared up."

I replied: "Sir, these matters need little action, if they are considered with prudence and judgment. There are many authors who clarify the manner in which ecclesiastical and secular judges must deal with them, and therefore neither contention nor anger is necessary."²³

After this fruitless argument, they returned indoors, and after further discussion Peñalosa announced that he wished the custodian to accompany him to Santa Fé that very night. Although Posada protested that the hour was late, the governor was adamant, and about midnight they set out for the villa.²⁴

The next morning, when they arrived in Santa Fé, Posada remarked that he would go to the convent, but the governor firmly insisted that he should have breakfast first at the Casa Real. Up to this point Peñalosa had not revealed his true purpose in bringing the prelate to Santa Fé, but this move, which was obviously designed to prevent Posada from setting foot on ecclesiastical ground, was a clear indication of his intention. But Posada realized that he had no choice, and he accepted the invitation. Peñalosa was also playing for time at this point, for during the night he had sent two soldiers ahead with orders to remove Durán and his nephew from the room in which they were imprisoned in the Casa Real and to have the room prepared for another occupant, and he wished to make sure that these instructions had been

23. *Petición e informe*, May 16, 1664.

24. *Ibid.*

carried out. After breakfast Posada again remarked that he would go to the convent, and the governor finally informed him that he would be held in the Casa Real and conducted him to the room so recently occupied by the prisoner whose release he was seeking to effect. Guards were placed at the door of the cell, which faced the patio, and at the entrance of another room connecting with it, and orders were given to permit no one to communicate with the prelate without the governor's consent. Two small field pieces were placed in position as a further precaution to prevent escape of the prisoner.²⁵

News of the custodian's arrest spread rapidly. Fearing a repetition of events of the Rosas period, when most of the friars were expelled from Santa Fé and the Blessed Sacrament was brought to the Casa Real, the guardian of the Santa Fé convent, Friar Nicolás Enríquez, closed the church and had the Host consumed. Similar action was taken by the clergy in some of the missions. Letters were also dispatched to the Holy Office informing the Inquisitors of what had occurred.

For nine days (October 1-9) Posada was held in confinement at the Casa Real. During this time the governor and prelate had many heated arguments concerning the authority of the latter as ecclesiastical judge of the province. Posada cited the privileges conferred by the papal bull *Exponi Nobis* of Adrian VI, the so-called *Omnimoda*, but Peñalosa insisted that these privileges had been revoked. Again and again the governor insisted that as representative of the Crown, he exercised superior authority in the province and that he would permit no prelate, bishop, or archbishop to institute legal action against him or subject him to ecclesiastical censure. He also accused Posada of inciting rebellion against civil authority. It was necessary, therefore, for the good of the province and the preservation of public peace to expel the prelate from the province.²⁶

25. *Petición e informe*, May 16, 1664, and testimony of various witnesses. *Proceso contra Peñalosa*.

26. Declaration of Friar Blas de Herrera, Dec. 12, 1663, and *Petición e informe*, May 16, 1664. *Ibid.*

From time to time friars from the Santa Fé convent were permitted to see the custodian, but always in the presence of some member of Peñalosa's entourage. Posada counselled his associates to refrain from any overt act, and to give the governor no excuse for hostile action. He also averted a serious dispute arising out of the governor's demand that the Santa Fé church should be reopened. The guardian of the convent had resisted Peñalosa on this point, because he believed that the governor and the soldiers who had participated in Posada's arrest had automatically incurred excommunication. But inasmuch as Peñalosa was insistent, Posada instructed the friars to reopen the church and admit the governor to mass. "I did this in consideration of the fact that the Church on certain occasions is accustomed to tolerate things that are necessary in order to avoid greater evils."²⁷

Peñalosa realized that it was necessary to build up some sort of legal case against the custodian before carrying out his plans, and an effort was made to find witnesses who would testify that Posada had infringed on the rights of civil authority and jurisdiction and had incited revolt. But the governor was unable to find more than one or two persons who would give testimony against the prelate, and within a few days it was apparent that the scheme had failed.²⁸

Consequently, on October 6 Peñalosa took action to bring about a face-saving settlement of the entire dispute. Discreet suggestions were made that some of the elder friars should make an appeal for the custodian's release, and thus give the governor an opportunity to grant their request as a special act of favor to the Order. When this method failed, Peñalosa wrote an urgent letter to Friar Joseph de Espeleta, then at Isleta, stating that "he was troubled and at no time would he appreciate a visit more than at present." On October 8 Espeleta and Friar Tomás de Alvarado, a former pre-

27. *Petición e informe*, May 16, 1664.

28. *Ibid.*

ate, arrived in Santa Fé, and in conference with the governor they worked out a compromise. It was agreed that all the papers that had been drawn up since the custodian's arrest should be placed in a sealed package, which would not be opened until after Peñalosa had stood *residencia* at the end of his term of office. Moreover, both Posada and the governor would agree not to mention the affair again or give any account of it to any person outside the province or to the authorities, civil and ecclesiastical, in New Spain. Under these conditions, Peñalosa promised that he would free the prelate and henceforth be his friend.²⁹

These terms were immediately communicated to Posada. At first he refused to consider them, because they represented a complete capitulation to the governor on the major issues at stake in the entire controversy. Durán was to be left in the governor's hands, and no censures of any kind were to be imposed for the violation of sanctuary or for the arrest of the custodian. But Espeleta and Alvarado urged the need of an immediate settlement, in view of the isolation of the province and the hostile attitude of the governor, and Posada finally instructed them to consult with the other friars in Santa Fé and bring back a report of their views. The conference at the convent apparently supported the views of Espeleta and Alvarado, and Posada felt constrained to accept the terms of settlement. He was informed, however, that Peñalosa expected him to take formal oath to fulfill the bargain. To the person who brought this message Posada stated that although he would take oath, since the friars had already agreed to it, he would do so verbally and without any intention that it was binding.³⁰

On the afternoon of October 9, Peñalosa, Espeleta, Alvarado, and several other persons gathered in the custodian's cell in the Casa Real, and the agreement was ratified. Papers relating to the incident were sealed in a specially

29. *Ibid.*

30. Declaration of Friar Tomás de Alvarado, Nov. 12, 1663, and of Friar Nicolás Enríquez, May 15, 1664; *Petición e informe*, May 16, 1664. *Proceso contra Peñalosa*.

marked package and delivered to Peñalosa who said that after his *residencia* he would burn it. The governor and prelate then took oath in the hands of Espeleta to keep the agreement, but Posada added the qualifying phrase, "insofar as possible." Later in the day Peñalosa released his prisoner and accompanied him to the gateway of the Santa Fé convent. The next day Posada left for Santo Domingo.³¹

The affair of September 30-October 9, 1663, constitutes a unique incident in the troubled annals of New Mexico prior to the Pueblo Revolt of 1680. In the past the custodians had frequently subjected the governors to ecclesiastical censure, and in a few outstanding cases they had been responsible for more drastic action against a provincial executive. Thus in 1613 Friar Isidro Ordóñez had seized Governor Pedro de Peralta and held him in jail for several months. The arrest and trial of López de Mendizábal by the Holy Office was the result of representations made by the friars. But the Posada incident is the only recorded case of the arrest of a custodian by a governor. Peñalosa had boasted that he would reverse the older tradition, and he made good his threat.

The failure of the governor to carry out his bold plan to expel the prelate indicates, however, that he had not cast off all fear of the power of the Church and the Holy Office. He realized that he was already involved in difficulty with the Inquisition because of the Parral embargo and other events of the preceding year. Moreover, it was inevitable that reports of Posada's arrest would eventually reach Mexico City, and that sooner or later the Holy Office would call him to account for such a flagrant violation of the privileges and immunities of its local representative. Expulsion of the prelate would provide further cause for complaint, and would justify more drastic punishment when the day of reckoning finally came. Consequently, it was wiser to abandon his plan and to negotiate a compromise. The agreement of October 9 was merely a truce, but it served to tie the prelate's hands for the present, at least so far as public

31. *Ibid.*

action was concerned, and it gave the governor time to plan his next move and to take appropriate action to guard his own personal interests.

IV

In October or November Tomé Domínguez de Mendoza returned to New Mexico with the news that his mission to Mexico City had been unsuccessful. Pending receipt of further information and clarification of the situation, the Holy Office had suspended all litigation over the Parral embargo. At the same time Domínguez undoubtedly informed the governor that his brother, Juan Domínguez de Mendoza, and other persons who had gone to Mexico in the autumn of 1662 had been summoned by the Holy Office to give testimony concerning New Mexican affairs. Juan Domínguez had also returned, perhaps in advance of Tomé, and he probably gave Peñalosa some warning of the Inquisitors' attitude.

These reports indicated that the Holy Office intended to make a thorough investigation of the events of 1662, and that the governor faced the prospect of prolonged litigation, if not more serious trouble, with that tribunal. There was also a strong probability that the remainder of López' property still in his possession would be embargoed unless he took immediate action to dispose of it. Moreover, Peñalosa had reason to fear that if he remained in the province until the arrival of his successor, who was expected in 1664, he would have to face serious *residencia* proceedings. He knew that many citizens had grievances, and he could not be sure that the prelate would feel bound by his oath on October 9.

Taking all these factors into account, it was imperative that he should leave New Mexico as soon as the necessary preparations could be made. Departure of the governor without express authorization of the viceroy would be a serious matter. There is some evidence, however, that Peñalosa had already asked and received permission to leave for New Spain without waiting for the arrival of his suc-

cessor.³² Toward the end of 1663 he began to put his affairs in order and to make plans for the journey.

Peñalosa made his plans with considerable care. Numerous documents were removed from the local provincial archive and placed with his personal effects for shipment to New Spain. It was undoubtedly his purpose to prevent damaging papers from falling into the hands of his enemies, and also to secure possession of documents that could be used for his own defense in anticipated litigation in Mexico City. The brief inventory of these papers that was made in 1665 at the time of Peñalosa's arrest by the Holy Office lists many items that would be invaluable to historians of New Mexico in the seventeenth century, and it is hoped that someday they may be found.³³

Realizing that Posada had made full reports of the dispute over the *encomienda* revenues of the New Mexico soldiers arrested by the Holy Office in 1662, Peñalosa took action to refute the charge that he had appointed personal associates as *escuderos* for the *encomiendas* of Diego Romero and Francisco Gómez Robledo. Titles of *escudería* were now issued to Cristóbal Durán y Chávez and Juan Domínguez de Mendoza, and antedated to May 4 and 7, 1662, respectively.³⁴

32. When Tomé Domínguez de Mendoza went to New Spain in 1663, Peñalosa gave him certain funds, part of which were to be paid to a man in Mexico City as a fee for presenting a petition to the viceroy asking permission for the governor to return to New Spain. A. G. P. M., Tierras 3286. On April 10, 1664, Francisco de Valencia gave testimony before Posada in which he referred to Peñalosa's departure from the province, "con licencia que desia tenia del Virrey." *Proceso contra Peñalosa*.

33. Some of the most important items included in the inventory of Peñalosa's papers made in 1665 are: (1) *Instrumentos judiciales y caussas que se fulminaron en el Nuevo Mexico contra algunos vezinos* (27 pieces); (2) *Libro de Governasion del Nuevo Mexico del Tiempo del Sr. Don Juan de Eulate* (49 folios); (3) *Autos criminales contra las perssonas de Diego de la Serra, Don Fernando de Chabes, y los demas conthenidas en ellos, condenados a muerte y por traidores por la fuga y delitos que contra los sussodichos contienen, 1643*; (4) *Vissita general del Nuevo Mexico y Padrones de Todas las almas xptianas* (24 pieces); (5) Legajo of 219 *instrumentos*, of which nineteen were *causas de oficio y a pedimento de partes*; (6) *Autos sobre lo acaesido en lo de los Chabes y Custodia del Nuevo Mexico, Año de 1663* (apparently the *pliego* formed and sealed on October 9, 1663); (7) *Libro de gobierno* of Peñalosa's term of office. The inventory also lists many other *legajos*, briefly described as containing letters, petitions, titles, etc., of which there were several hundred. A. G. P. M., Tierras 3286.

34. Declaration of Cristóbal Durán y Chávez, March 9, 1664. *Proceso contra Peñalosa*. Title of *escudería* for Juan Domínguez de Mendoza, May 7, 1662. Biblioteca Nacional, Madrid, MS. 19258.

His choice of Durán and Juan Domínguez is not without significance. As noted above in section II, Cristóbal Durán y Chávez had been arrested by the governor in August, 1663, and he was later sentenced to certain penalties. His uncle, Don Pedro, whose violent removal from sanctuary at Santo Domingo had caused the bitter quarrel with Posada, was later freed without penalties at the request of Tomé Domínguez de Mendoza.³⁵ Juan Domínguez, brother of Tomé, had been a partisan of López de Mendizábal and had participated in the Parral embargo. The choice of Cristóbal Durán and Juan Domínguez as *escuderos* for the Romero and Gómez *encomiendas* indicates that Peñalosa was motivated by a desire to appease persons who had been hostile to him in the past and who might be expected to file charges against him during *residencia* proceedings.

Sometime in November Peñalosa attempted a maneuver designed to strengthen his hand in litigation over the Parral embargo. He sent word to Posada inviting him to come to Santa Fé and certify the property of López stored at the Casa Real. Although this invitation was made in the guise of a friendly gesture, it was merely an attempt to put the custodian on record that the property, or at least most of it, had not been sent to Parral and was still in Santa Fé at that time. But Posada refused to fall into the trap. He replied that if the governor had property that had belonged to López it was subject to embargo by the Holy Office, and that he would certify the goods only on condition that they should be turned over to a responsible person as depository, pending receipt of instructions from the tribunal in Mexico City.³⁶

But Peñalosa had no intention of losing the profit he hoped to derive from this property. Most of the goods were packed in the wagons that were made ready to take the governor's effects to New Spain. A few items were sold to local citizens. Part of the livestock seized in 1662 or bought at the fictitious auctions had been sent to Parral. The re-

35. *Proceso contra Peñalosa*.

36. Declarations of Friar Blas de Herrera, Dec. 14, 1663, and Friar Nicolás Enríquez, May 15, 1664. *Ibid.*

mainder was now turned over to Diego González Lobón who was apparently preparing to drive herds of stock to Parral.³⁷ It would be convenient, however, to be able to pretend that part of the property was still in deposit in New Mexico, and to this end he notified Pedro Lucero de Godoy that he had been chosen as depository. When Lucero appeared to receive the goods, he found that what Peñalosa planned to turn over was "trash," and at first refused to "dirty up my house" with it. He eventually accepted certain items worth only a few pesos.³⁸

Before leaving for New Spain, Peñalosa appointed Tomé Domínguez de Mendoza to serve as governor *ad interim* until the arrival of his successor. Finally, in February or March, 1664, he set out on the long journey to Mexico City. On the way he met Juan de Miranda, the new governor, and turned over *vales* for 3500 pesos, representing debts owed him by citizens of New Mexico, authorizing Miranda to act as collector for the same.³⁹ The date of Peñalosa's arrival in Mexico City is not known, but it was probably sometime during the following autumn.

V

As early as July 12, 1663, Posada had started to take sworn testimony concerning the conduct of Peñalosa. The events of August-October of that year interrupted the investigation, and for some time thereafter he had to proceed with caution in order not to arouse the governor's suspicions. After the departure of Peñalosa for New Spain, he became more active and received the declarations of numerous persons, lay and ecclesiastical. By June 8, 1664, he had examined twenty-six witnesses who gave a mass of testimony concerning all phases of Peñalosa's activities. Copies of the declarations were sent to the Holy Office soon thereafter. During the next fifteen months several more

37. *Proceso contra Peñalosa*. Also declaration by Peñalosa, June 23, 1665. A. G. P. M., Tierras 3286.

38. *Proceso contra Peñalosa*.

39. A. G. P. M., Tierras 3286.

witnesses were examined. In the autumn of 1665 these declarations and the originals of those that had been sent off in the preceding year were transmitted to the Holy Office where they were incorporated in the bulky file of documents in the Peñalosa case.⁴⁰

Most of the evidence dealt with the procedure adopted by Peñalosa to acquire possession of López' property, the disputes between Peñalosa and Posada concerning the revenues of the encomiendas of Romero, Anaya, and Gómez Robledo, the governor's reaction to the embargo at Parral, the Durán case, and the arrest and imprisonment of Posada in September-October, 1663. Interspersed in this evidence were bits of information concerning other phases of Peñalosa's conduct which are summarized below.

(1) On his way to New Mexico in 1661, Peñalosa formed a liaison with a young woman in Parral, who accompanied him to Santa Fé and lived with him in the Casa Real. The governor made no pretense of trying to conceal this illicit relationship. On the contrary, he publicly accompanied his mistress to mass in the Santa Fé church where, it was alleged, she was given a seat of honor in front of the wives of the local citizens. It was reported that on one occasion they even went to confession together, Father Freitas confessing one of them and Father Guevara, the other. The brazen manner in which Peñalosa openly paraded his relations with the young woman caused considerable scandal, and before long the whisperings of angry citizens and friars reached his ears. According to the testimony of Friar Blas de Herrera, the governor asserted:

The friars mutter about me that I keep my mistress in my house. It is true that I have her there and that I brought her there, and that in the church she sits in the most important place of all the women, in a special and unique place. She is the mother of my daughter, and my mistress, and indeed she is most deserving of the place, and not only to sit in it but to be put in a gilded crystal tabernacle, for if

40. *Proceso contra Peñalosa.*

in Mexico the greatest dignitary or lord did not show her the greatest esteem for being my mistress, I would make him repent it in the greatest way imaginable.⁴¹

(2) Evidence concerning the governor's misconduct was not limited to tales concerning his mistress but also included reports of flagrant immorality with various women of the province. Likewise, evidence was given illustrating the extremely lewd and obscene speech in which he delighted to indulge.

(3) It appears that one of Peñalosa's favorite pastimes was to intone passages from prayers and chants, mimicking the friars. Thus it was reported that on a certain occasion in the presence of several friars, the governor intoned a *Gloria* and the *Credo*, and asked his listeners how they liked his performance. Assured that it was well done, he replied: "I was a cleric in my [native] land, and I performed marriages!" He also delighted to engage in debate on theological topics, including such subjects as the nature of the Trinity and technical problems relating to the adoration of the Cross and holy images. In one of his more playful moments he called for discussion of the question whether God has a beard.

(4) Serious charges were also made concerning certain alleged cases of cruel oppression of the Indians. Thus Capt. Andrés López Zambrano, *alcalde mayor* of the Keres jurisdiction, testified that in September of 1663, Peñalosa visited the pueblo of Cochití and proposed to carry off a nine year old Indian girl as a servant for the Casa Real. The mother of the child and her uncle, governor of the pueblo, made such tearful protest that he relented. Then later in the day, he summoned the uncle and asked for some gift in lieu of taking the girl, and a sum of twenty-six pesos was agreed upon, which the uncle paid by handing over three cows, mantas, and hides. Commenting on this incident, López Zambrano remarked that it was "great tyranny" thus to

41. *Ibid.*

force a mother and uncle to ransom "their own blood," especially since the governor could have bought an *Apache de depósito* for twenty-six pesos. The witness also declared that by order of Peñalosa he was obliged to go to Sia and take an Indian girl of eight or nine years from her mother and bring her to Santa Fé for service in the Casa Real; and he cited a similar case involving a girl from Taos, whom the governor took with him to New Spain. Likewise, he testified that Peñalosa had taken a poor crippled girl, the daughter of Christian Indian parents, and sent her as a gift to the viceroy's wife, pretending that she was an Apache.⁴²

When called upon to answer these charges during his trial by the Holy Office, Peñalosa challenged the accuracy of López Zambrano's testimony. He denied that he demanded money of the governor of Cochití, insisting that the sum he received was a gift, such as the Indians were accustomed to give provincial governors when they visited a pueblo. The girls taken from Sia and Taos were orphans whom he offered to care for, one of whom he later sent to Mexico to be reared by one of his relatives. The crippled girl was a *genízara*, daughter of an Apache-Quivira mother and a Pueblo Indian, and he took her to raise at the suggestion of the Santa Fé family who had her. Thus he had been inspired to do good rather than by any need for such servants, because he had so many Apache captives that he gave away more than a hundred!⁴³

VI

The new governor, Juan de Miranda, arrived in New Mexico in the spring of 1664. On May 16 Posada presented a long petition of complaint, with numerous supporting documents, concerning the Durán affair and the incident of September 30-October 9, 1663. Copies of these papers were sent to the Holy Office a few weeks later.⁴⁴

In 1665 Peñalosa testified that when he met Miranda in Nueva Vizcaya in the preceding year, his successor de-

42. *Ibid.*

43. *Ibid.*

44. *Ibid.*

manded that he should agree to stand *residencia* in absentia, and that he should give power of attorney to Tomé Domínguez de Mendoza to act as his representative. Believing that such proceedings, if held without express commission of qualified authority, would have little validity, and in order not to risk delay in his journey to Mexico City, he acceded to Miranda's demand. Using this authorization, Miranda forced Domínguez to stand *residencia* for Peñalosa, carrying on the proceedings in an arbitrary manner. Complaints against the new governor were filed by the *cabildo* of Santa Fé, and he was removed from office. The *real acuerdo* later granted Peñalosa a two-year term in which to stand *residencia* in proper form.⁴⁵

This version is in sharp contrast with another account given by Governor Antonio de Otermín in 1682 in a letter to the viceroy describing the hostility and opposition experienced by some of his predecessors. Referring to the Miranda case, Otermín wrote:

In the year 1665 Tomé Domínguez de Mendoza brought charges against Don Juan de Miranda during his first term of office, and made such grave complaint against him that he was deprived of office, imprisoned in the pueblo of Picuries with five guards, and later taken with the same [guards] to the *casas de cabildo* of the villa. All his property was seized, and [he was tried] in an iniquitous *residencia*, with thirty-three secret witnesses and many public demands, all of them false. He went to Mexico [and] appealed on the grounds of injustice. His property was returned, and he was later reappointed to this government.⁴⁶

These conflicting reports show, in any case, that Miranda's administration was stormy, and there can be little doubt that the leader of the opposition was Tomé Domínguez de Mendoza. Because of complaints filed in Mexico City, he was removed from office before the expira-

45. A. G. P. M., Tierras 3286.

46. Otermín to the viceroy, San Lorenzo, April 5, 1682. A. G. I., Mexico 53.

tion of his term, and his successor, Fernando de Villanueva, assumed authority some time in the summer of 1665. Unfortunately the record of Miranda's *residencia* is lost. The reappointment of Miranda as governor a few years later implies, however, that he eventually gave a satisfactory account of his conduct to the viceregal authorities.

Friar Alonso de Posada's services as custodian and commissary of the Holy Office came to an end in the summer of 1665, when he was succeeded in both offices by Friar Juan Paz. In the following autumn he returned to Mexico City with the mission supply caravan. Soon after his arrival in the capital in the following year he was summoned before the Holy Office to certify the authenticity of the numerous reports he had sent to the tribunal and to give testimony concerning his relations with Peñalosa.⁴⁷ Little is known concerning his later history. In 1672 he was voted the honors and privileges granted by the Order to ex-custodians of New Mexico.⁴⁸ In 1686 he was still in active service, and held the office of procurator-general of the Franciscans in Mexico. It was in that year that he wrote his well-known report on geography and ethnography of the Southwest.⁴⁹ But the years spent in New Mexico as custodian and commissary of the Holy Office constitute the most important phase of his career. His energy and fearless leadership during that period mark him out as one of the ablest prelates of the province in colonial times.

47. *Proceso contra Peñalosa.*

48. Biblioteca Nacional, Mexico, MSS., Leg. 9, doc. 8.

49. Printed in *Documentos para la historia de México*, 3a série (México, 1856).

(To be continued)

FRANCISCAN MISSIONS OF NEW MEXICO 1740-1760

By HENRY W. KELLY

CHAPTER III

MISSIONARY ACTIVITIES AMONG HEATHEN INDIANS: THE MOQUINO APOSTATES AND THE JESUIT THREAT

THE TRUE missionary did not rest on his laurels, there always was more work to do in that vague country beyond the distant mountains. The claims of Spain to territory north of the settled portions of New Spain were as all embracing as they were vague, and the missionary's zeal to bring his message to unconverted tribes beyond the pale of settlement met with the full approval of the crown. Padre Varo asked for more missionaries to carry on the work among the unconverted Indians, but, in spite of being short-handed, the Custodia did not lack men who sought opportunities for fresh spiritual conquests although already burdened with the care of a mission.

The principal activity in the missionary field in this period was among the Moquis, the Apache and the Navajo, the first of these being a sedentary, agricultural people and the other two being nomadic.

Turning to the Moquis, the padres found here a rather unique and difficult problem. The Moquis were not really *gentiles*, that is, Indians in their pristine heathenism. They had been converted in the seventeenth century, but had joined the general Pueblo revolt of 1680. After the reconquest of 1692 these Moquis (the modern name is Hopi) remained confirmed in their apostacy with great stubbornness.¹

The Moquis were (and are today) a sedentary maize-planting people, numbering at the time about ten thousand, and living in a half dozen pueblos in what is now north-

1. Hackett, *Historical Documents*, III, 30.

eastern Arizona, some one hundred and fifty miles northwest of Zuñi. These pueblos, like Ácoma, were perched on top of high, narrow, sandstone mesas accessible only by treacherous, easily defended trails. The Moquis had retreated to these rock-tops to escape the ravages of their traditional enemies the Apaches and Navajos, descending to work in their corn fields below the mesas.²

The problem of subduing and reconverting these haughty Moquis was one of the most serious that confronted the officials of New Mexico, both ecclesiastical and secular, during the eighteenth century. Between 1699 and 1732 the missionaries singlehandedly made four unsuccessful *entradas* into the province of Moqui. In the same period four punitive military expeditions, accompanied by missionaries, failed to subdue these stout warriors in their rock fortresses, and the soldiers had to content themselves with destroying the *milpas*.³

To make matters worse the Moquis welcomed those Christianized Indians who, feeling themselves oppressed and unhappy, abjured their faith, and fled from the missions westward to find refuge among the Apostates. These malcontents increased the determination of the Moquis to resist submission to Christianity and the alien rule that it implied. We have already seen that the Moquis exercised a disturbing influence among the Zuñi Indians, greatly to the chagrin of the padres.⁴ During the great revolt of 1680 Tigua Indians living in the missions of Sandía, Alameda and Pajarito, south of Santa Fé and on the Río del Norte, deserted their pueblos, the entire population decamping westward to the province of Moqui.⁵ All during the first half of the eighteenth century it was the desire of the padres not only to reconvert the Moquis and their Tigua guests, but to resettle these abandoned missions. Up to 1740 the efforts of both the

2. Consult the map by Miera y Pacheco.

3. Hackett, *Historical Documents*, III, 30.

4. See N. M. HIST. REV., XV, 366.

5. Bancroft, *History of New Mexico*, 243-244.

church and state to accomplish these ends met with no success.⁶

Beginning in 1742 renewed missionary activity began among the Moquis. The principal protagonist on the Franciscan side was Fray Carlos Delgado, for years minister at San Agustín de la Isleta. This man was a credit to his order, imbued with the virtues of St. Francis, combining humility and kindness with a burning zeal for the propagation of the faith. He had disciplined his body with years of hardships, and, in 1742, although an old man in his middle sixties, he was anxious to make an entrada into the hostile, Moqui province.

In the early fall of 1742 Fray Delgado accomplished his desire with amazing results. His plan was to remove as many of the Moquis and the descendants of the runaway Tiguas as possible to the missions in the east, where, in a more conducive atmosphere, separated from the virus of apostasy, instruction and conversion could be successfully accomplished. Having been advised by some Christian Moquis that the time was ripe for an entrada, because the Moquis were at that time engaged in one of their chronic internal wars, Padre Delgado petitioned Governor Mendoza⁷

6. The fact that groups of converted Indians did desert the missions and join their heathen brothers was vividly called to my attention last summer (1939). On August 26 I was at Walpi pueblo in the Hopi reservation, and witnessed the weird Snake Dance. I became acquainted with a young Indian of that village named Leo Lacapa. Having attended the Government school he spoke English very well. I learned that he was half Tewa, half Hopi. He explained that "long ago" his people had deserted the pueblo of Santa Clara on the Río Grande, and had moved westward to Hopi-land, where they had been permitted to share part of the Walpi mesa with the understanding that they would furnish warriors to repel the attacks of the fierce Navajo. This band of fighting Tewas remained at Walpi, intermarrying with the Hopi, and their descendants are still there. The Navajos and Hopis no longer battle one another, but the traditional enmity smolders on beneath the surface. The Hopi reservation is surrounded on all sides by the Navajo reservation, and its territorial integrity is continually violated by the more numerous Navajos. Navajos, Navajo sheep, cattle, and horses overrun the Hopis' land; the Navajos jam the Hopi villages during their ceremonies, but the Hopis can do nothing but "grin and bear it or cut out the grin," for the Navajos are tall, awesome, horse-riding men, fifty thousand strong while the Hopis are short, dumpy and number only about five thousand. Hopi protests to the government have brought no remedy for their woes.

7. According to Lansing B. Bloom, "The Governors of New Mexico," *NEW MEXICO HISTORICAL REVIEW*, X, 152, Gaspar Domingo de Mendoza was governor from 1739 to 1743.

for aid in the form of a military escort and supplies. The governor gave very slim assistance, supplying an escort of only three soldiers and nothing else. Padre Delgado was joined by Padre Ignacio Pedro Pino, and between the two of them they collected a small band of a dozen Indians and Spanish settlers. The party had to go on foot, having no horses, and with practically no provisions. After a difficult journey they reached the Moqui pueblos visiting all of them. Padre Pino describing the journey said that he "ascended personally to all the cliffs and pueblos where he was well received."⁸ As a result of the civil strife many of the Moquis sought refuge with the padres, and were willing to follow them eastward. The missionaries could not remove all those who wanted to go, for they lacked the equipment, food, beasts of burden, and military assistance necessary for such an undertaking. The padres started eastward toward Zuñi with four hundred and forty one Moquis, men, women and children, old and young. It was a journey of great hardships, across fifty leagues of rough, uninhabited desert country, the padres and their followers aiding the Indian mothers to carry their babies, sometimes with as many as four or five brown infants strapped onto them. The strange caravan almost starved, being saved at the last moment by a supply of food that came from Zuñi in response to the pleas of the runners sent ahead by Padre Delgado.

The padres appealed to Governor Mendoza for aid in resettling the Moquized Tiguas in their old pueblos of Sandía, Alameda and Pajarito. The governor refused to take this initiative without special instructions from the viceroy, and ordered the evacués temporarily settled at Jémez, La Isleta and other missions. This arrangement was carried out over the strenuous objections of the padres, the Indians receiving two thousand pesos worth of live stock and property to give them a new start in life.⁹

8. Letter of Padre Pino to Commissary General, November 16, 1742, Hackett, *Historical Documents*, III, 389.

9. There are numerous contemporary accounts of this dramatic exodus. I base my information on the following: Report of Padre Lezaún, November, 1760, Hackett,

The padres continued their agitation to gain royal support for the settling of the converts apart in their own pueblo or pueblos. The existing arrangement was very unsatisfactory. The Christian Indians of the pueblos into which these Moquis-Tiguas were crowded naturally complained of the discomforts and inconveniences caused them by their uninvited guests, and the padres found it hard to instruct the neophytes under such conditions. Padre Cristóbal Yraeta wrote the commissary general, and begged him to take the matter up directly with the viceroy in view of Governor Mendoza's hesitation to support the project. In the letters of Yraeta and other Franciscans, Governor Mendoza was censured for his serious lack of coöperation in the Moqui endeavor. Had the governor sent an adequate escort with the padres many more Indians would have been removed. As it was, many old people, children and sick were forced to remain behind for lack of transportation. Yraeta mentioned another entrada, planned for the following year [1743], to follow up the initial success,

. . . and thus it will be made clear to our lord the King and to all the world that it is not because of us that the sowing of the divine word is retarded, and that often the reason why no harvest is gathered is attributable to the very negligent ministers [lay] that his majesty . . . has, who attend to their private interest.¹⁰

The matter of the permanent resettlement of the four hundred and forty one Moquis hung fire while reports and counter-reports were exchanged in the typically methodical, long winded, Spanish manner. In the meantime the indefatigable Padre Delgado was planning more entradas. His attempt to enter the Moqui province in 1743 was blocked for

10. Letter of Padre Cristóbal Yraeta, November 24, 1742, Hackett, *Historical Documents*, III, 389-390.

Historical Documents, III, 472; Letter of Governor Gaspar Domingo de Mendoza, October 31, 1742, Hackett, *Historical Documents*, III, 388; Letter of Fray Ignacio Pedro Pino, November 16, 1742, Hackett, *Historical Documents*, III, 389; Ralph Emerson Twitchell, *Leading Facts in New Mexican History* (Cedar Rapids, 1912), I, 439.

some unknown reason by Governor Mendoza.¹¹ It was not until September of 1745 that he was able to return to the Moqui, having spent the previous year in the province of Navajo, which bordered that of Moqui on the east. In June, 1745, Delgado petitioned Governor Joaquín Codallos y Rabal for permission to go to the province of Moqui and also for an escort.¹² On September 14, this permission was granted, and an escort of eighty Indians was designated.¹³

We are fortunate in having Padre Delgado's own account of this apostolic excursion, written in November, 1745, after the expedition.¹⁴ Two days after receiving the gubernatorial permission to leave their missions, Padre Delgado, accompanied by Padres José Yrigoyen and Juan José Toledo and the Indian escort, started for Moqui, which was reached after two weeks of arduous travel. The padres preached to the Moquis, asking them to give up their vices and false gods. Their words evidently had some effect on the listeners, for the Indians said that they would inform the padres when they could come again, at which time they might administer baptism. After this understanding had been reached, the padres felt more at ease, and proceeded to visit and examine the six Moqui pueblos, which were situated about six leagues one from another.¹⁵ The padres took an accurate census in each pueblo, the grand total being ten thousand eight hundred and forty six persons. Delgado mentioned especially the location of the pueblos as "rugged, rocky heights with very rough and impassable ascents." Any one who has visited the modern Hopis in their ancient cities will certainly sympathize with the padres as they labored up the steep trails in the glaring, desert sun.

11. Hackett, *Historical Documents*, III, 30.

12. According to Bloom, "The Governors," 155, Joaquín Codallos y Rabal was governor of New Mexico from 1743-1749.

13. Ralph Emerson Twitchell, *The Spanish Archives of New Mexico, compiled and chronologically arranged with historical, genealogical, geographical and other annotations, by the authority of the State of New Mexico* (Cedar Rapids, 1914), II, 215.

14. Letter from Padre Delgado to Commissary General Juan Fogueras, Isleta, November 15, 1745, Hackett, *Historical Documents*, III, 414-415.

15. The 1778 map of Miera y Pacheco shows only five pueblos; Oraibe; Jongopavi (Shongopavi); Thanos; Gaulpe (Walpi); and Aguatubi.

Padre Delgado in this same letter to the commissary deplored the fact that they had no large retinue of soldiers, for, if that had been the case, they could have brought out the Indians. Delgado asked Padre Fogueras to intercede with the viceroy to force the governor to supply soldiers to carry out this missionary work. "If it [the grant of soldiers] be made there can be no doubt we can promise ourselves notable results. . . ." It is not clear what role Padre Delgado expected the soldiers to play in this missionary endeavor. Whether the soldiers were merely to help transport and guard those Moquinos willing to leave their homes and go east to the mission area, as in the case of those removed in 1742, or whether Padre Delgado had in mind the employment of force, a sort of apostolic kidnapping, is not clear.

There is no record that Father Delgado or other missionaries returned to the Moqui to capitalize on the friendly attitude that they had created among the Indians, and it is known that Father Delgado retired from active missionary service shortly after this entrada. However, the project of the resettlement of the Moqui-Tiguas, removed in 1742, was still in the air, and, after more than five years of wearisome negotiations, the padres finally gained their wish. On January 23, 1748, Governor Codallos granted a petition, submitted by Padre Juan Miguel Menchero, asking for a tract of land where the abandoned pueblo of Sandía (watermelon), a few leagues north of Alburquerque, was situated for the purpose of resettling it with the by then Christianized Moquis, who had been living at Jémez and other pueblos since 1742.¹⁶ Menchero submitted another similar petition in April together with a dispatch giving the viceroy's approval. The governor now had every authority to act, and sent Don Bernardo Antonio de Bustamante y Tagle to examine the tract of land needed for the reestablishment of the pueblo, to make the proper distribution of crop and pasture lands and water rights, to establish boundaries, and give the missionary appointed to manage the pueblo royal

16. Twitchell, *Spanish Archives*, I, 400.

possession. Lands that had been granted to Spaniards within the area to be set aside for the Indians were to be surrendered, and the owners were to be given land elsewhere. For judicial purposes the pueblo was to be attached to Albuquerque and subject to its *alcalde mayor*. The *alcaldes* of the various pueblos were ordered to see to it that the Moqui Indians living in their respective jurisdictions repaired to Sandía to aid with the construction of the new pueblo, work to begin in May, 1748.

On May 14, Bustamante gathered together the several Spaniards who owned land on the west side of the Río del Norte, and informed them of the gubernatorial decree. The law allowed the Indians to have a league in every direction from the pueblo. Bustamante, in consideration of the Spaniards, refrained from making the measurement to the west, which would have included their lands, but in return they agreed to let the Indians graze their stock west of the river. These *vecinos* must have had "pull" up at the governor's palace, but those owning land to the north and south evidently had no such influence, for they had to bow to the decree depriving them of their titled lands. No settlement was necessary to the east, for there rose the almost sheer face of the Sandía mountains, forming a perfect boundary.

Bustamante named the new pueblo and mission *Nuestra Señora de los Dolores y San Antonio de Sandía*, placing Padre Juan Joseph Hernández in charge as pastor, and in possession of the lands in the name of the Indians. The measurement to the west remained short, and elsewhere Bustamante ordered the erection of mud and stone boundary monuments "as high as a man with wooden crosses on the top of them" to mark off the mission lands. The pueblo was then settled with three hundred and fifty Moquis of all ages.¹⁷

The new mission prospered, for in 1760 Sandía was described as one of the most prosperous missions and a

17. My information for the refounding of Sandía is based entirely on Twitchell, *Spanish Archives*, I, 235-237.

strong bulwark against the fierce *Faraones* [called Pharaohs because of their cruelty] Apaches. A still more convincing proof of the success of this resettlement project is the fact that Sandía survives today with the other pueblos.¹⁸

The remainder of the story of missionary activity among the Moquis for the period that concerns us can be quickly summarized. According to available records it was one of puny efforts and negligible rewards. In 1754, the Moqui pueblos, as a result of continuous, internecine wars and struggles with the Navajos and Apaches were reduced to five, and the total population, made up partially of run-away Indians from the missions, had declined to eight thousand.¹⁹

In 1775 Padre Rodríguez de la Torre with a small party of mission Indians visited the Moqui towns, being well received and permitted to preach. However, this liberality availed him little, for, whenever the Indians showed any signs of yielding to his persuasions, a "fiendish chieftain" (*cacique endemoniado*) would stand up and oppose conversion on the grounds that his people were too sensible and strong to become slaves of the *alcaldes*, although he agreed that the *padres* were good men. In spite of his failure to make much headway, Padre de la Torre remained for two weeks with the Moquis. During his stay he heard a rather amusing and curious story about a wooden plank on which the Moquis had made an annual mark since the revolt of 1680. The story went, that, when the board was completely covered with notches, the Indians would submit to Christianity. Judging from the continual accounts of Moquino impermeability to Christian teachings it is probable that they took care to provide themselves with a very sizeable board, and made their notches as slender and snugly arranged as possible.²⁰

18. "An account of lamentable happenings in New Mexico and of losses experienced daily in affairs spiritual and temporal; written by the Reverend Father Juan Sanz de Lezaún in the year 1760," Hackett, *Historical Documents*, III, 473.

19. Account of Padre Lezaún, Hackett, *Historical Documents*, III, 469.

20. Bancroft, *History of New Mexico*, 256.

To sum up, we see that the middle of the eighteenth century brought considerable missionary activity among the Moquis. From the Franciscan's point of view it was desirable to transfer the potential Christians to a more favorable atmosphere in the east, but when this was not possible, attempts to convert and instruct the Moquis in their native haunts were made. On the whole it must be said, excepting the one spectacular triumph of Padres Delgado and Pino in 1742, their sincere and strenuous efforts far outweighed the practical results obtained. The padres blamed their failure on the stubbornness of the Moquis; the inaccessibility of their pueblos from the mission area; the non-coöperation of the secular authorities in providing military escorts and supplies for the entradas, and, most important, on reports that reached the Moquis of the unjust exactions imposed by the governors and the *alcaldes mayores* upon the mission Indians. These unsavory and contradictory by-products of Christianity naturally caused the Moquis, and all other gentiles, to think twice before submitting to baptism. The conservatism of the Moqui and his attachment to his ancestral religion and customs must be exceptionally strong, for modern missionaries of all sects throughout the nineteenth and twentieth centuries have made little headway and that, in an age when a change of creed entails no change in political and social status.

In connection with the missionary activities of the Franciscans among the Moquis there is an interesting side development, which throws light upon the relations of the Religious Orders with one another in the field of missionary endeavor. It is generally known that the Orders of regular clergy, the Jesuits, Franciscans, Dominicans, Augustinians, Mercenarians and others were imbued with a lively *esprit de corps*, which occasionally over-developed into bitter rivalry and envy of one another's achievements. In their educational establishments, the splendor of their churches, their missionary endeavors, and in all other phases of their varied activities the Orders vied with one another. Up to

a certain point this rivalry was beneficial, for it made for progress, for efficiency, for the correction of abuses and the adoption of reforms in order to keep pace with the competition. However, when, in an excess of rivalry, the Orders forgot that they were fundamentally all striving for the same ends, they not infrequently check-mated one another, so that the program as a whole suffered. In the specific case of the Franciscans in New Mexico this spirit was only faintly suggested, but sufficiently so to make it historically significant.

Since the earliest thrusts into New Mexico in the sixteenth century, the Franciscans had enjoyed a monopoly of ecclesiastical power. All during the seventeenth century, up to the revolt of 1680, they had sole control of this mission area, the blood of twenty one Franciscans indelibly sealing this right, which was further confirmed when the padres returned with de Vargas and his reconquistadores.

It is easy to imagine the consternation of the padres, when, for the first time in two centuries, their monopoly was threatened. A royal cedula of July 19, 1741, ordered three Jesuits from Primería Alta (what is now the Gila district of Arizona) to work among the Moquis, replacing the Franciscans.²¹ The royal motives behind this decree are quite clear. The Franciscans had signally failed since the reconquest to pacify and convert the troublesome Moquis, and the crown desired to give the efficient Jesuits a chance to crack this tough nut.

This decree raised a storm of opposition among the Franciscans. It was a direct slap at their collective pride and at their long record of service. They regarded the prospect of having to surrender the Moqui vineyard to the Jesuits as gall and wormwood. It has been suggested that Father Delgado's great achievement of 1742 was partially inspired by a desire to win back the favor of the crown, and

21. Letter of Padre Cristóbal de Escobar y Llamas, provincial of the Society of Jesus in New Spain to the Viceroy, Mexico, November 30, 1745, Hackett, *Historical Documents*, III, 417.

block the advent of the Jesuits.²² Meanwhile, the execution of the decree hung fire in the best Spanish manner. Padre Delgado, as chief protagonist in the Moqui field, wrote letters in opposition to the change. He discounted the claims of the Jesuits that the Moquis wanted the *padres prietos* (Jesuits) instead of the *padres azules*. On the contrary Delgado claimed that the Moquis were opposed to the advent of the Jesuits, that they would only undo his work, cause great expense to the crown and in the end lose their lives for nothing. Padre Delgado exposed for an instant a sample of the unchristian feeling that arose between the Orders by hinting that the Jesuits were interested in the Moqui province because of the gold that was thought to exist in the semi-legendary *Sierra Azul* that was located somewhere in that region.²³ Delgado, hearing rumors of an unsuccessful attempt on the part of the Jesuits to enter the Moqui in 1743, wrote to the Commissary; "this is proof . . . that our beloved Jesus does not desire that a work which our order has cultivated for so many years shall be destroyed by this means, or that we shall lose our labor, even though it is all directed towards the same ends."²⁴

However, the Jesuit threat did not materialize. One of the contributing factors for the failure of the royal plan to develop was the attitude of the Jesuit officials themselves. Surprising it is to learn, and in direct contradiction to the "rivalry" theory that has been advanced, that the Society of Jesus was opposed to this change. In a letter written by the Jesuit provincial of New Spain, Cristóbal Escobar y Llamas, to the viceroy in November, 1745, he sought to excuse his Order from undertaking the evangelization of the Moqui province, advancing some reasons which in themselves would not have been real hindrances had the Order been

22. Bancroft, *History of New Mexico*, 246.

23. Padre Delgado to the Commissary General, June 18, 1744, Hackett, *Historical Documents*, III, 394.

24. Letter of Delgado to the Commissary, November 15, 1745, Hackett, *Historical Documents*, III, 415.

willing to undertake the task.²⁵ The provincial seems to build up his case by deduction from the premise, "that the Order has enough on its hands, and does not want to be bothered with the Moqui," supporting this preconception by all the plausible excuses available.

Fray Escobar pointed out the following factors that rendered compliance with the royal order difficult or nearly impossible. First of all, he stressed the scarcity of the Jesuit workers in view of the disproportionate size of their jurisdiction, and the heavy mortality brought on by the rigorous missionary life.

Secondly, he cited the provision in the *Recopilación de Indias*, which forbade the operation of missionaries of different orders in the same region.²⁶ Escobar claimed that the success of Padre Delgado in 1742 had placed the province of Moqui in Franciscan hands, and that to interfere then would be illegal. This second point of Escobar certainly reveals the Jesuit frame of mind. If the order had really wanted the Moqui jurisdiction, a general law such as the provincial cited could have offered little real difficulty, for such laws were constantly being ignored or freely interpreted to meet specific colonial requirements.

Thirdly, Escobar dwelt on the inaccessibility of Moqui from Pimería Alta. According to him there were only two gateways, both of which offered difficulties. The first was through New Mexico passing up the Río del Norte and then westward to Moqui. This tramping of Jesuit feet through the Franciscan domain might have caused trouble. The second route lay directly north from Sonora to Moqui, but was infested by hostile Apaches.

Fourthly, the inaccessibility of the province and the lack of intervening missions would make imperative expensive convoys and escorts, payment for which would necessitate the doubling of the annual salary of three hundred pesos to each missionary.

25. Letter of Fray Escobar to Viceroy, 1745, Hackett, *Historical Documents*, III, 417-418.

26. *Recopilación de Indias*, law 32, title 15, Book I.

Lastly, it would be necessary to supply each missionary with an escort of four to six soldiers completely under his command for a period of at least three or four years. Certainly the last two arguments must have appeared quite formidable in the eyes of the impoverished government.

As a result of this report and the recent success of the Franciscans among the Moquis, the king was brought around to favor the Franciscan case, and drop his scheme. He was convinced that he had been misinformed respecting the geographical location of Moqui, the hostility and power of its people, and the vain efforts of the soldiers and friars to reduce them. The fact that two missionaries had gone almost alone, without costing the royal treasury a *centavo*, and had returned with four hundred and forty one converts was a very impressive accomplishment in royal eyes. It meant that the Moquinos were neither so far removed from New Mexico, or so obdurate in their apostacy as had been alleged. Therefore, in November, 1745, in a royal cedula, the king reasoning along these lines, switched from the Jesuit camp and ordered the viceroy to coöperate fully with the Franciscans.²⁷

The *padres azules* weathered the jurisdictional storm, but as we have seen the fundamental Moqui problem remained for the most part unsolved.

CHAPTER FOUR

MISSIONARY ACTIVITIES AMONG HEATHEN INDIANS: NAVAJOS, APACHES, COMANCHES, AND GENÍZAROS

Besides the efforts made to return the strayed Moquis to the fold, the conversion of the neighboring heathen nomads was of great concern to the eighteenth century missionary. The difficulty in dealing with the nomad Indians was double that encountered with the sedentary pueblo Indians. These Indians not living in permanent settlements were hard to locate and control. Before effective conversion

27. Bancroft, *History of New Mexico*, 246.

and instruction could begin, it was necessary for the padres to persuade these people to give up their drifting existence and settle in one place. This reduction to mission life involved a profound change in their traditional manner of living, a change that many Indians refused to make unless under considerable pressure.

The nomads that were given most attention by the missionaries were the Navajos and the Apaches. The Navajos, usually classified as a nomadic people, were far less nomadic than the word implies. They roamed about a fairly limited area, essentially corresponding to their present-day reservation, an area extending roughly from the San Juan Valley in northwestern New Mexico, westward to the Colorado River, and they did settle in one place long enough to plant corn. With these facts in mind the Navajos can be called a nomadic people. The Apaches were more truly nomads, and were found widely scattered over all the mission area.

The records of missionary activity among these tribes during the early decades of the eighteenth century are extremely scanty. In 1733 the custodian, Padre José Ortiz de Velasco, founded a mission of Jicarilla Apaches on the Río Trampas, five leagues north of Taos. It prospered for awhile under Padre Mirabal, there being one hundred and thirty Indians at the mission in 1734. However, for some unknown reason the governor, Geruasio Cruzate y Góngora,¹ ruined the project by sending soldiers from the presidio at Santa Fé, who ejected the Indians. The mission had not been revived by 1744.²

Let me say before going further that it is impossible to consider separately the dealings of the padres with the Navajos and the Apaches. A glance at the map will show that the region labelled "Provincia de Nabajoo" lay directly west of the central mission area of the Río del Norte. In the numerous accounts of the entradas and conversions these

1. According to Bloom, "The Governors," 155, Geruasio Cruzate y Góngora was governor of New Mexico from 1731 to 1736.

2. "Declaration of Fray Miguel Menchero, Santa Bárbara, May 10, 1744." Hackett, *Historical Documents*, III, 403; Bancroft, *History of New Mexico*, 242.

occurrences always took place in "the province of Navajo." It is never quite clear whether the converts were Navajos or Apaches, for both seem to be associated with the same province. Sometimes the Indians of this region are spoken of as Navajos, then in the same breath as Navajo-Apaches and again as just plain Apaches. For this reason I shall straddle the issue and combine the missionary activities among the two tribes as one and the same endeavor using the same two words interchangeably.

The person to initiate the flurry of missionary zeal among the Navajo-Apaches that marked the fifth decade of the eighteenth century was the ubiquitous, indefatigable Padre Carlos Delgado. In March of 1744, in between trips to the Moqui, Father Delgado, accompanied by Padre José Trigo Irogoyen, entered the Navajo province, and reported the conversion of five thousand Indians. Father Irigoyen, writing to the commissary general in June, 1744, asking to be confirmed as Delgado's assistant in future entradas, praised the old missionary in exalted language. He dwelt on Delgado's saintly character and his amazing success among the heathen Indians. The young and enthusiastic assistant felt inspired at the mere thought of working in association with Delgado. Speaking of the projected entrada into Moqui, Padre Trigo wrote:

I am impatient for the time to come, for although many hardships of hunger, thirst and nakedness are to be endured, such good companionship sweetens the affliction . . . I came away from the province of Navajo confounded at witnessing the ease with which the said reverend father wins souls, and I can only think that the Divine Majesty, for a purpose so high, permits the heathen, at the mere sight of his apostolic and religious character, to yield with indescribable impetuosity to the yoke of our holy Catholic faith.³

3. Letter of Father Irigoyen, Jémez, June 21, 1744 to the Commissary General, Pedro Navarrete, Hackett, *Historical Documents*, III, 413.

We are again fortunate in having Padre Delgado's own account of the entrada that he and Padre José Irigoyen made into the province of Navajo in March, 1744. Starting out from Padre Irigoyen's mission, Jémez, they traveled west for four days, encountering floods and inclement weather, after which they reached the province. They preached in the scattered Navajo *rancherías* with such effectiveness that the Indians asked them to remain while they summoned their widely dispersed brothers, who had not yet heard the gospel. The padres stayed there for six days converting all the Indians, and placing them in missions in their own province. The Indians promised to send a delegation to Santa Fé to visit Governor Codallos, who aided the padres in making this entrada, which they did towards the end of March. The padres presented their protégés to the governor, who received them with kindness and flattery, promising them protection, as vassals of the king, from their enemies.

The secret of Padre Delgado's amazing knack for converting the heathen is partially revealed when he himself admits that his success was made easier by the distribution of gifts in the form of cloth, beads, ribbons, tobacco and other novel articles pleasing to primitive man, a device employed by all missionaries in all ages. By their gifts and kindness the two padres left a very friendly feeling in the province of Navajo.⁴

An insight into the fine character of this old missionary is afforded by a second letter written by him on the same day, June 18, 1744, to the Commissary Navarrete, a letter pervaded by a touching, more personal flavor, not encountered in the previous official report. Delgado asked Navarrete to send him a fresh supply of materials necessary to make presents for the heathen Indians, the cost of which was to be charged to his own account in the Custodia records. The old campaigner was keen to continue his work,

4. Letter of Fray Carlos Delgado, June 18, 1774, to Commissary Navarrete, Hackett, *Historical Documents*, III, 391-393.

but he found himself with exhausted funds and as poor as Saint Francis.

On this journey to the Navajoo I was left without habit or sandals or anything else, on account of the country being so rough; I am . . . indecent to appear before a human being, and have no one to whom to apply unless it is to your Reverence, of whom I ask, not a new habit or new sandals, but something old that may be spared there.

Delgado also asked the commissary for a young assistant to take care of the mission of Isleta during his absences on missionary trips. In spite of his sixty-seven years Padre Delgado felt strong and eager to carry on his arduous work, and spoke of his intentions of making an extensive entrada into Moqui and Navajo the following year.

Governor Codallos was coöperating with the padres in their missionary work in the Navajo province, and petitioned the viceroy for three or four additional religious, who might devote all their time and energy to this work, not being hampered with the care of existing missions. Fray Delgado knew only too well the rigid requirements for a successful missionary in that harsh land, and asked the commissary, in the event that this petition was granted, to see that the new recruits "are over forty years of age, mild, humble, stripped of all property and that they know how to endure many hardships."⁵

Father Delgado did make his intended trip to the Navajo in the fall of 1745. The details of his accomplishments this time are lacking, but he returned with one exciting bit of news. It seems that while in the Navajo, the Indians had told him about a distant mystery-wrapped, Indian Kingdom called *El Gran Teguayo*, the capital city of which "is so large that . . . one can not walk around it within eight days. In it lives a king of much dignity and ostentation . . ." The Spaniards, both adventurers and missionaries, had been

5. Letter of Fray Delgado to Commissary Navarrete, June 18, 1744, Hackett, *Historical Documents*, III, 393-394.

chasing the shadowy, tantalizing, elusive El Dorado in one form or another ever since they first set foot in the New World. On a few rare occasions they caught him, but most of the time the chase led to disillusionment and stark reality. Padre Delgado also had his El Dorado in which he believed, for he intended to seek it at the next opportunity. He also probably realized that the royal purse strings might be loosened by reviving interest in the Northern Mystery.⁶

From all accounts the entrada into the Navajo in the fall of 1745 was Padre Delgado's last plunge into the wilderness. He was unable to chase his Teguayó rainbow, and from then on the grand old man settled down to a less rigorous life at Isleta. He by no means dropped his enthusiasm for the cause, and we shall hear from him again in another connection.

Governor Codallos succeeded in arousing the interest of the crown in the Navajo project, but action was held up by the usual red tape. A royal order of November 23, 1745, ordered the viceroy to make a complete report to be sent to the king concerning the accuracy of the Franciscan report that in May of 1744 Padres Irigoyen and Delgado had reduced and converted five thousand Indians. The crown was indeed impressed with this "marvelous event," especially since the padres claimed that it was done with no cost to the hacienda real. In case of the truth of the Franciscan claims the viceroy was to "attend by all possible means to the increase and extension of these new reductions and conversions . . ."⁷

As a result of these instructions the viceroy in 1746 ordered the founding of four missions in the Navajo country, protected by a garrison of thirty soldiers. This was the order of a remote viceroy, fifteen hundred miles to the south, and, like many other well intentioned decrees that were not framed in the knowledge of local conditions, it ran

6. Report of Padre Delgado to the Commissary, undated, probably 1745, Hackett, *Historical Documents*, III, 416.

7. A royal order of November 23, 1745, to Viceroy Conde de Fuenclara, Hackett, *Historical Documents*, III, 416.

into snags. Governor Codallos found it impossible to spare the mission guard stipulated, which would have meant reducing his garrison by over one-third, especially at a time when the Apaches were giving so much trouble.⁸

The same year while matters were at a standstill, Fray Juan Miguel Menchero, in his capacity as ecclesiastical *visitador* made an official tour of inspection throughout the Custodia. Deciding to try his hand at real missionary work he went into the Navajo province, and by his energy induced about five hundred "Apaches" to return with him and settle, for the time being, at a place called La Cebolleta [little onion], a few leagues north of the mission of Laguna.⁹ He baptized all the children, but in spite of their requests, refused baptism to the adults while they were trained in the rudiments of the faith.¹⁰

There is a hiatus in the account from 1746, when Padre Menchero coaxed the Navajo-Apaches to Cebolleta, until 1749. In 1748 wars between the Navajos and their enemies the Utes and Chaguaguas slowed up the missionary program.¹¹ In 1749 Governor Codallos was replaced by Tomás Vélez Cachupín, a young and vigorous man.¹² In response to Padre Menchero's pleas he obtained viceregal approval for the founding of the much talked of missions, not in the wild, inaccessible Navajo province, but southeast of that province in the more convenient Ácoma-Laguna region where a start had already been made. Accordingly, the neighboring missions of Cebolleta and Encinal were established, the latter located a few leagues north of Ácoma, additions being made to the Navajo-Apache converts already at Cebolleta. Padre Manuel Vermejo was stationed at Cebolleta, and Padre Juan Sanz de Lezaún at Encinal.¹³

8. Bancroft, *History of New Mexico*, 247.

9. Consult the Miera y Pacheco map.

10. Letter from Fray Juan Mirabal, San Juan, July 8, 1746, to Commissary Fogueras, Hackett, *Historical Documents*, III, 420.

11. Bancroft, *History of New Mexico*, 248.

12. According to Bloom, "The Governors," 155, Tomás Vélez Cachupín was governor of New Mexico from 1749 to 1754.

13. Report of Padre Juan de Lezaún, November 1760, Hackett, *Historical Documents*, 471; Bancroft, *History of New Mexico*, 248.

At the same time the crown acceded to the request of Padre Menchero, made through Governor Codallos five years before, for the support of several missionaries in the province of Navajo.¹⁴ In 1749, according to Padre Andrés Varo, four missionaries were working in this province: Padres Manuel Trigo, Cayetano Trigo, Andrés García and Joseph Rubio.¹⁵

Thus the Franciscans were working both among the Indians in their native haunts and among those that they had removed and settled at Cebolleta and Encinal. For a while everything seemed to be progressing nicely, but the initial success was rather suddenly reversed by a series of dramatic misfortunes ending in the collapse of the whole program.

In the first place, the new Governor Cachupín, according to the Franciscans, after having aided the padres in obtaining royal approval of their plans, not only refused to offer them material aid, but obstructed their efforts by his open and bitter hostility. Fathers Vermejo and Lezaún, stationed respectively at Cebolleta and Encinal, worked for five months under great hardships and danger, with no other protection or aid "than that of heaven." The governor remained deaf to their pleas for supplies and a military escort. Only once after great delay did he send Vermejo a few necessities; a little corn, some sheep, and one half pound of indigo [añil]. He sent nothing at all to Lezaún. This negligible aid excepted, the padres supported themselves and the Indians at their own cost. So destitute were they that they did not have even the necessary equipment to say Mass, being forced to travel seven leagues through dangerous country to Laguna for this comfort.¹⁶

Their position was made far more untenable and the ill will of the Indians was aroused by a dramatic incident that occurred on October 26, 1749, at the mission of Cebolleta. Governor Cachupín was passing through the region on a

14. See above, p. 58.

15. Report of Padre Varo, 1749, B. N., Leg. 8, Doc. 57, Folio 11-11v.

16. Report of Padres Vermejo and Lezaún, October 29, 1750, B. N., 16.

tour of inspection, and stopped to visit Cebolleta. His retinue included Padre Miguel Menchero, the alcalde mayor of Laguna, assorted vecinos and a number of soldiers. Padre Lezaún had come from Encinal, and, of course, Vermejo was present. Cachupín, whom the padres all characterized as young, inexperienced and hot-headed, suddenly by caprice seized a bow and arrow, and, deliberately aiming at one of the Apache neophytes, released the shaft. Fortunately, the arrow broke as it left the bow due to the governor's clumsiness, but the flint head struck the unlucky Indian in the groin drawing blood. Padre Vermejo immediately rebuked the governor for his cruelty and folly.

And I told him to consider what he had done, that such tricks would result in great harm to us. He replied to me in the presence of all, that even if he had killed him, who would call him to account? This he said with great haughtiness and pride, to which I replied that the man's wife, his sons, and all those gentiles would [call him to account], and that the Viceroy had a Royal Audiencia at the head, and the King, a Council.¹⁷

This unfortunate incident left affairs simmering at Cebolleta and Encinal. The Indians were naturally quite peeved to put it mildly, and the incompatibility of the actions of a Christian governor with the doctrines of kindness that the padres had been impressing upon them must have struck them. The two missionaries, alone without a guard, among hundreds of ruffled Apaches, certainly were not in an enviable position.

The acuteness of the situation was further aggravated when Cachupín forced the Indians of Laguna to go to Cebolleta and those of Ácoma to Encinal to work his fields and build houses and churches for the benefit of the new mis-

17. Vermejo-Lezaún Report, 1750 B. N., Leg. 8, Doc. 82, Folio 6-6v. "Y diciéndole yo que mirara lo que hacia que de aquellas burlas nos podrian resultar graves daños; me respondió en presencia de todos que si le hubiera muerto quien se le había de pedir? Con mucha soberanía y imperio: a que respondí que su muger, sus hijos y todos aquellos Gentiles, y que el Virrey tenía una Real Audiencia en cima y el Rey, un Consejo."

sions. The discontent of the converted Indians at the enforced labor so impressed the Apaches that they were strengthened in their growing determination to have none of Christianity and the ills it brought in its wake.¹⁸

To make matters worse, strained relations developed between the Navajo-Apaches of Encinal and the Indians of Ácoma.¹⁹ For centuries the tall, fierce, Navajos and Apaches had harried the dumpy, Pueblo Indians, and the Ácomans had suffered in particular. It was to escape these terrible marauders that they had become sun turtles, living atop a shadeless rock, just as their sedentary relatives at Mesa Verde and Frijoles had taken refuge in holes high up on cliff walls to escape the same enemies. The Pueblo people in general and the Ácomans in particular hated and feared the Navajo. He was the traditional enemy as was the Moor of the Spaniard. If such were the feelings of the Ácomans for the Navajos it is easy to understand how bitterly ironic it was to draft them as workmen constructing homes for their foe.

Early in 1750 the Navajo-Apache increased the apprehension of the Ácomans by petitioning Governor Cachupín for permission to move their residence to a place called Cubero, only a couple of leagues north of Ácoma, where water was more abundant, there being a small stream that ran eastward into the artificial lake at Laguna. The Ácomans registered a vigorous protest, for, if this request was granted the enemy would be planting corn in their own milpas, which were scattered about at considerable distances from their rock. The Ácomans certainly did not want their food supply and lives to have to depend on the protection of the slow-moving and distant presidio at Santa Fé.

It was to settle this dispute with justice and to the satisfaction of both sides that Governor Cachupín on March 24, 1750, ordered Lieutenant General Bernardo Antonio de

18. Report of Padre Lezaún, 1760, Hackett, *Historical Documents*, III, 472.

19. Illustrative of the confusion of terms that exists in the documents concerning the missionary activity among the Navajos and Apaches, Governor Cachupín in an official letter referred to the Indians of Encinal and Cebolleta as "Navajo-Apaches," while the padres call them "Apaches" fairly consistently.

Bustamante y Tagle, whom we have met before in connection with the reestablishment of Sandía Pueblo, assisted by the vice custodian, Fray Manuel de San Juan Nepomuceno y Trigo, to go to the troubled area. Padre Trigo was to help Bustamante in settling the dispute, especially in preventing bloodshed between the Navajos and Ácomans, which would destroy the gains made in the conversion and settlement of the nomads, and would result in harm to the less bellicose Ácomans. Here was a delicate situation, requiring real, diplomatic tact and skill.²⁰

As it turned out the mediators were spared this ticklish job, but faced with one infinitely more difficult. On April 16, 1750, just as Trigo had reached Laguna on his way to Encinal, Bustamante who had preceded him, gave him the terrible news that the Navajos of Encinal and Cebolleta had revolted and driven out their padres, Juna de Lezaún and Manuel Vermejo.²¹

Upon receipt of this news Padre Trigo immediately, the same day, tried desperately to salvage the fruits of months of hard missionary labor. Accompanied by Bustamante, the alcaldes mayores of Ácoma-Laguna and Zuñi, their lieutenants and other Spaniards, he hurried to Cebolleta, and made a valiant but vain attempt to win back the revolted neophytes. He addressed the Indians with much eloquence and zeal promising them the friendship and reward of God and the Spaniards if they would return to the faith. They would be molested in no way, could build their pueblo in any good spot they chose, and those Christians who wanted instruction could come to the padre, who would live nearby, but apart from the Indians. Trigo's words seem to imply that the "mission" of Cebolleta, like that of Encinal, was still an uncompleted, makeshift village. If great progress had been made in the construction of an elaborate adobe pueblo the

20. Letter of Governor Tomás Vélez Cachupín, Santa Fé, March 24, 1750, to Vice Custodian Trigo, Hackett, *Historical Documents*, III, 424-425.

21. Letter from Padre Trigo to Bustamante, April, 1750, Hackett, *Historical Documents*, III, 432.

Indians of Encinal would not have been so inclined to move to Cubero.

The reply of the Indians to Padre Trigo's exhortations is a poetic masterpiece, beautiful in its simplicity and directness; indicative of how strong the wanderlust beat in the nomad's breast and how slight was the grasp of the Navajo's mind on the significance of the Christian religion.

They the Indians of Cebolleta replied that they did not want pueblos now, nor did they desire to become Christians, nor had they ever asked for the fathers; and that what they had all said in the beginning to the Reverend Commissary, Fray Miguel Menchero in 1746 was that they were grown up, and could not become Christians or stay in one place because they had been raised like deer, that they would give some of the children who were born to have water thrown upon them [indicating a complete ignorance of the significance of baptism] and that these as believers, might perhaps build pueblos and have a father, but that now they did not desire either fathers or pueblos; that they would be, as always, friends and comrades of the Spaniards, and that if the father wished to remain there they would do him no harm, but that they could not be Christians.

To this fair-minded reply Padre Trigo countered with more concessions. He offered to give them a new father if they found fault with Padre Vermejo, or if that did not suit them he zealously offered to stay himself and instruct the children. The Indians replied that they had no complaint against their minister other than that he was so poor that he could give them nothing. They repeated that they had given Padre Menchero no promises of becoming Christians, and had only allowed water to be "thrown upon" their children because the parents who brought children were rewarded with gifts of hoes and picks.

Having failed to win back the Indians of Cebolleta, Trigo, Bustamante and their retinue went the next day to Encinal with as little success. The chief of the Navajo-

Apaches, Don Fernando, spoke for his people, giving similar replies to the exhortations of the Spaniards. He added that Padre Menchero had not given them all the gifts he had promised for having brought their children to be baptized. Menchero's promises had been lavish to the extreme, far in excess of his ability to fulfill them. He promised to send the Indians horses, mares, mules, cows, sheep and clothing, the very things most prized by these nomads.

All these parleys were carried on through a Christianized interpreter. Padres Lezaún and Vermejo were evidently not present, but even in their cases I have found no definite proof that they were able to speak the Navajo-Apache dialect. The faintness of the impression that these padres made upon their charges during their five months sojourn would seem to indicate their inability to communicate directly with the potential converts. The Indian interpreter put everything into a nut shell when he said to Bustamante and Trigo:

I know these people well, for they are my people and relatives, and I say that neither now nor ever will they become Christians. They may say yes in order to get what is offered them, but afterwards they say no. My mother and sister who are here, are the same, and I have not been able to persuade them to come with me and be Christians.²²

This is how the program of converting the Navajo-Apaches stood in 1750, even more of a failure than the Moqui program. The padres had followed the same tactics as with the Moquinos. They felt that the best policy was to coax the nomads out of the fastnesses of the province of Navajo, where it would be difficult to reach them, and settle

22. The entire account of these negotiations between the Navajo-Apaches of Encinal and Cebolleta and the Spaniards is based on written testimony, taken immediately after the episodes by Bustamante at the request of Padre Trigo as proof and justification of his sincere efforts to win back the revolted Indians, from the various *alcaldes mayores* and their subordinates who witnessed the occurrences. Captain Fernando Ruyamor, *alcalde mayor* of the pueblos of Acoma and Laguna, was the chief witness. The evidence he offered was duplicated and enlarged by that of his lieutenant, Pedro Romero; and by that of Don Ignacio de la Barrida, *alcalde mayor* of Zuñi. Hackett, *Historical Documents*, III, 433-437.

them in new missions. By settling them near at hand, in the region of Spanish influence, the padres hoped to convert and civilize them. Padre Menchero in 1746 had been liberal with his gifts and even more so with his promises of more, which accounted in great part for his success in bringing the Navajo-Apaches to Cebolleta. Once there, they found the promised gifts far in arrears, and their present padres too poor to satisfy their desires—this being their only complaint against them. Their nomadic instincts, the desire to be on the move, added to the non-appearance of promised gifts, the lack of coöperation and rashness of Governor Cächupín, all combined to bring about the rupture. How sad a day for the Franciscans of New Mexico must have been April 16, 1750!

However, the failure of a handful of ill equipped and poverty stricken Franciscans to convert the Navajos and Apaches in a harsh, danger-ridden, frontier region appears far less glaring when one considers the none too distinguished accomplishments of modern missionary societies, comparatively well supplied with temporal necessities, working in a pacified country with the benefits of modern communications, and employing to their best advantage the fruits of two hundred years of sociological research in the art of dealing with people on a lower cultural level.

Concerning missionary activity among the Comanches, who, to a greater extent than all the other nomadic tribes put together, wrought havoc among the missions and Spanish settlements of New Mexico, I have found not a single record for this period of the eighteenth century.

There is one more phase of the missionary program among the heathen nomads that should be given consideration. It was relatively unimportant, and was only incidentally a part of the wide missionary scheme. The nomadic gentiles, especially the Comanches from the Great Plains, carried on an extensive trade with the Spanish settlements, that is, when they were not in a raiding mood. The most valuable among the articles of trade in that barter economy

were Indian captives that these Comanches had made in their perpetual wars. These captives, men, women, and children, represented many tribes spread over a great area, for the Comanches on their fleet ponies were an extremely mobile people. Bringing these unfortunate prisoners to the Spanish settlements along the Río del Norte, the nomads traded them for horses, weapons, tools and other objects. These Indians when purchased were considered slaves, although chattel slavery had been forbidden by law since the sixteenth century. The Spaniards of New Mexico, like those of other remote areas, were able with immunity openly to violate the laws. The owner was supposed to instruct, convert and care for his slaves, a condition probably imposed by the padres who, faced with an evil that they could not eradicate, sought at least to protect the slaves. The theory was admirable enough; it was better to buy the savage, instruct him and give him a chance to save his immortal soul than to let him meet a miserable and unbaptized death at the hands of his cruel captors. These *Indios sirvientes*, numbering about thirteen hundred in 1749 were a rather extraneous element in the provincial society.²³ They were also called *genízaros* or janissaries because they were often employed as scouts and auxiliaries in campaigns.²⁴

However, many Spaniards did not live up to their obligations, and, as a result of abusive treatment many *genízaros* fled and became apostates. The padres, distressed at this state of affairs, asked aid from Governor Mendoza. He issued a proclamation throughout the Kingdom that all *genízaros*, men and women, who had unjust masters, might report to him and he would examine the justice of their complaints. This a number of Indians did, and in 1740 the governor founded a settlement called Valencia or Tomé, thirty leagues south of Santa Fé on the Río del Norte, just two leagues below Isleta. Here the Indians lived on a social basis similar to that of the mission Indians. Although the settle-

23. See census chart.

24. Bolton, *Spanish Borderlands*, 184.

ment was composed of forty families of all tribes, this diversity did not lead to quarrels, partly owing to the diplomacy of the minister of Isleta, our old friend Padre Carlos Delgado. These Indians farmed, and were very efficient in repelling the attacks of their wild, nomadic brothers. In 1744 they were busily engaged in the construction of a church under the direction of Padre Delgado at, as the Franciscan reporter significantly added, no cost to the crown.²⁵

There were other settlements of these *genízaros* already existing or founded during this period. Northwest of Santa Fé at Abiquiú on the Chama River another pueblo of these Indians was established about 1747.²⁶ Living within the jurisdiction of Taos pueblo but not in the actual mission, according to a census taken in the summer of 1750 by the resident minister, Padre Miguel Gómez Cayuela, were eight families of *genízaros*.²⁷

Although most of the *genízaro* settlements were located apart from the other missions, this was not always the case. Occasionally, the minister of a mission or the mission Indians themselves were able to ransom a few captives, and add them to the mission community where they lived on more of a basis of equality than those bought by the *vecinos*.²⁸ Such seems to have been the case at the mission of San Juan de los Caballeros, about ten leagues north of Santa Fé, where, according to a census taken by the resident minister, Padre Juan Joseph Pérez de Mirabel, there were fifty-eight *genízaros*, making up fourteen families, living in the mission with the other Indians.²⁹

25. "Declaration of Fray Miguel de Menchero, Santa Bárbara, May 10, 1744" to the Provincial, Hackett, *Historical Documents*, III, 401-402.

26. Twitchell, *Spanish Archives*, II, 219.

27. B. N., Leg. 8, Doc. 81, Folio 42-42v.

28. Survey of Missions by Padre Andrés Varo, January 29, 1749, B. N., Leg. 8, Doc. 57, Folio 4.

29. B. N., Leg. 8, Doc. 81, Folio 29.

(To be concluded)

NEW MEXICO'S FIGHT FOR STATEHOOD (1895-1912)

By MARION DARGAN

IV. THE OPPOSITION WITHIN THE TERRITORY DURING THE NINETIES

SOME TWENTY-ODD bills to admit New Mexico to the union were introduced into congress between December, 1891, and June, 1903. All of these were promptly referred to a committee, and most of them were never heard of again. Three bills, however, passed the house and attained the dignity of a senate report, although the majority report on the last of these was unfavorable. During the early nineties, Antonio Joseph, delegate to congress from New Mexico, fathered most of the house bills, hoping to win statehood by the aid of his fellow democrats. After his defeat in 1894, Catron, Fergusson, Perea and Rodey followed in rapid succession. Of these, perhaps the first and the last named strove hardest to get an enabling act through congress, but all met defeat.

One of the most important factors that contributed to the failure of these hopes was the unwillingness of some of the citizens of the territory to assume the responsibilities of full citizenship. On June 6, 1892, in discussing a bill introduced by Delegate Joseph, George D. Perkins, a republican member of the house committee on territories, said:

Now, Mr. Speaker, it is a question whether the people of New Mexico desire the passage of this bill. I undertake to say that no evidence has been presented further than the compilation of some old reports—nothing that has transpired during the life of this Congress—to show that New Mexico itself is asking for admission. It is true that about a year ago New Mexico voted upon the adoption of a constitution, and rejected it. I do not know but that New Mexico would declare against ad-

mission at this time. It is said by those resident in New Mexico that it is not well for New Mexico itself that it be admitted at this time.¹

The Iowa congressman evidently referred to the Joseph report of the preceding March, over seven pages of which appeared under the topic: "*Does New Mexico Desire Admission?*" The chief documents used to support an affirmative answer to this question were a memorial to congress adopted by the legislative assembly of New Mexico in 1872 and two speeches made by Governor Prince and ex-Governor Axtell at a hearing before the house committee on territories in the spring of 1890. This evidence went to show that the territorial politicians wanted statehood at the times indicated, but it left room for doubt regarding the attitude of citizens in 1892.²

The bill passed the house, however, and Senator Joseph M. Carey of Wyoming reported it favorably in the senate on July 21, 1892.³ Two pages of his report followed the heading "*The People Desire Statehood.*" Yet, while he went back to that August day in 1846 when General Kearny took possession of Santa Fé and promised the people of New Mexico "a free government, with the least possible delay,"⁴ he offered no proof that the people of the territory wanted statehood forty-six years later.

If we compare the reports already cited with three others made in the nineties on similar bills, we will notice that they are all much alike. Each makes some pretense of giving the attitude of citizens of the territory, but none are convincing. All tend to rely on musty documents of the past. The memorial of 1874 is given three times, and one of 1850 twice. The Blackburn report made to the senate in

1. *Congressional Record*, Vol. 23, Part 6, p. 5087.

2. Delegate Joseph reported for the committee on March 16, 1892. *Congressional Record*, vol. 23, part 3, page 2121. For the report, see 52nd Congress, 1st Session, *House Reports*, No. 736, vol. 3 (Government Printing Office, 1892).

For the documents cited, see pp. 14-20.

3. *Congressional Record*, vol. 23, part 7, p. 6484. The report is given in 52nd Congress, 1st Session, *Senate Reports*, No. 1023, vol. 5.

4. *Ibid.*, pp. 8-9.

1894 adopted the Joseph report of the preceding year verbatim.⁵ After recommending certain alterations in the bill introduced by Senator John H. Gear of Iowa the report made by Senator Cushman K. Davis of Minnesota in 1896 adopted the Carey report of 1892, including the reference to General Kearny's proclamation.⁶ There is no evidence that any of these committees made a serious effort to ascertain the sentiment of the people of New Mexico. When the Carey report was presented to the senate, Orville H. Platt pointed out that it was not a unanimous report, and that he had not been able to bring his mind to assent to it. The Connecticut senator said: "There are various statistics and facts bearing upon the question whether New Mexico is entitled to admission which I have not been able to obtain. The census office and the commissioner of education are not prepared to furnish us with data for which we ask."⁷ He therefore served notice that he might file a minority report at the commencement of the next session. Meanwhile he secured the adoption by the senate of a resolution that the committee on territories or a sub-committee should visit New Mexico during the recess to obtain information.⁸ Territorial newspapers commented on the coming investigation,⁹ but for some reason it was never made.

When Joseph presented a thirty-seven page report to the house on October 31, 1893, he devoted a single paragraph to statehood. He said that "In order to test the sentiments of the people of New Mexico," Governor Thornton had called a statehood convention which met in Albuquerque on Sep-

5. The Blackburn report was made on Aug. 3, 1894. *Congressional Record*, vol. 26, part 8, page 8141. The report is given in 54th Congress, 1st Session, *Senate Reports*, No. 628, vol. 14 (Government Printing Office, 1895), p. 1.

6. Senator Davis made his report on March 19, 1896. *Congressional Record*, vol. 28, part 3, page 2960. The report is given in 54th Congress, 1st Session, *Senate Reports*, No. 520, vol. 3 (Government Printing Office, 1896). See especially pp. 3, 7-10.

7. *Congressional Record*, vol. 23, part 7, p. 6484.

8. *Ibid.*, pp. 6525, 6875.

9. The *Las Vegas Daily Optic* expressed the opinion that the trip would prove "a mere junketing affair, for which there is about as much need as there is for a trip to the moon. What a senatorial party, on a palace car excursion through New Mexico, can learn of this Territory, we already know from experience. It is absolutely nothing." *Optic*, April 12, 1893.

tember 20. This had been attended, according to the delegate, "by more than 600 delegates, representing every political party in the Territory, as well as every county, in New Mexico, . . ." This body had passed resolutions requesting congress to pass the bill under discussion. Joseph concluded "that the present bill met with the unanimous approbation of that convention. This demonstrates the intense desire of the people of New Mexico for admission into the sisterhood of states."¹⁰

This statement is certainly more to the point than 100 per cent of the remainder of this report and all the others made during the nineties. It does not, however, warrant the conclusion which the delegate drew from it. Contemporary newspapers show that enthusiasm for the admission of the territory was not the sole magnet which drew these representatives together.¹¹ Possibly the territorial fair and the southwest silver convention were more important attractions. The *Las Vegas Daily Optic* featured the silver convention more prominently than the statehood meeting, the only reference to the latter being an account on the last page taken from the *Albuquerque Morning Democrat*. Little emphasis was placed on the size of the gathering or its representative character. Evidently some of the citizens of the territory were interested enough to get together for a statehood rally in 1893, but this does not prove that the people of New Mexico had an "intense desire" to see the territory a state.

Committee reports on statehood bills during the nineties were so repetitious and antiquated that it is not surprising to find that the territorial press paid scant attention to them. Advance information that a favorable report was expected was usually given, but no attempt was made to analyze the document when it appeared. Everything else, however, connected with the cause of statehood was news.

10. 53rd Congress, 1st Session, *House Reports*, No. 155, vol. 1 (Government Printing Office, 1893), p. 16.

11. *Optic*, Sept. 21, 1893. See also *Albuquerque Democrat*, Sept. 20, 1893; *Albuquerque Citizen*, Sept. 20, 1893.

The ups and downs of a succession of bills furnished column after column of copy. Perhaps the "signs of the times" indicated strongly that the next congress would admit New Mexico to the union, as the Silver City *Enterprize* for October 19, 1891, opined. Again some territorial leader might release an interview, as W. C. Hazledine did two months later, predicting that no attempt would be made to get New Mexico admitted until after the presidential election.¹² Evidently party leaders felt that the politics of New Mexico were so uncertain that they were unwilling to run the risk of giving the opposing party four votes in the electoral college and two in the senate. Little attempt was made by the territorial press to point out the differences between different statehood bills. A few exceptions were noted, however. Thus in January, 1892, the Deming *Headlight* published the text of a bill introduced by Joseph, declaring that examination would show that it was carefully drawn and fully met "many objections heretofore urged against suggested measures for the admission of New Mexico."¹³ The following year the press explained the distinction between this bill and one pending in the senate. The former provided merely that English should be taught in all public schools in the new state;¹⁴ the latter that these schools should be conducted in the English language. Evidently some senators were afraid that the schools of New Mexico might be conducted in a foreign tongue. The delegate, however, refused to accept the senate bill, so the *Optic* concluded: "The chances of New Mexico's admission by the present congress . . . is so slim that one might safely bet billions to buttons against it."¹⁵

In December, 1891, when Platt became chairman of the senate committee on territories, the *Denver Republican* pronounced this gratifying news to the people of the West, since he had previously shown much interest in the admission of the northwestern territories.¹⁶ Two months later, however,

12. *Santa Fé New Mexican*, Dec. 7, 1891, quoting the San Francisco *Examiner*.

13. *Optic*, Jan. 26, 1892, quoting the Deming *Headlight*.

14. For the text of the bill, see *Congressional Record*, vol. 23, part 6, p. 5086.

15. *Optic*, Feb. 6, 1893.

16. *New Mexican*, Dec. 18, 1891, quoting *Denver Republican*.

New Mexicans returning from Washington reported that Platt and Quay—"two powerful senators—were opposed to the admission of the territories on the ground that they are not yet . . . prepared for self-government."¹⁷ The territorial press also showed great interest in the attitude of the chief executive. Thus in October, 1891, both the *New Mexican* and the *San Marcial Reporter* printed stories to the effect that President Harrison would recommend the admission of the territory to the union. The former paper stated that the report came "on very good authority,"¹⁸ while the latter added: "He has certainly shown more interest in our affairs than any previous chief executive of the nation."¹⁹ As chairman of the senate committee on territories, the Indiana statesman had shown unusual interest in the qualifications of candidates for statehood, but, in spite of this, readers of his message failed to find the expected recommendation for New Mexico. If the press failed to predict the course which Harrison took, they found Cleveland still more baffling. In December, 1893, the *New Mexican* predicted: "Congress may pass as many bills for the admission of new states as it pleases, but it is dollars to doughnuts that President Cleveland will veto every one of them. He has no desire to see the silver cause strengthened by the election of additional senators and representatives from the far west."²⁰ The following spring, the *Optic* quoted Colonel Bean, a former delegate to congress from Arizona, as having expressed the opinion that it was useless for any of the territories to knock at the door of congress for admission, since Cleveland had declared that he was opposed to "admitting any more mining camps."²¹ Three months later, however, several of the territorial papers featured a story of an interview which Joseph had with the president. "The president," so this account ran,

17. *Optic*, Feb. 8, 1893.

18. *New Mexican*, Oct. 6, 1891.

19. *Ibid.*, Oct. 20, 1891, quoting the *Reporter*.

20. *New Mexican*, December 19, 1893, quoting the *Denver Republican*.

21. *Optic*, April 7, 1894. Curtis Coe Bean was delegate to Congress from Arizona from 1885 to 1887. *Biographical Directory of the American Congress, 1774-1927* (Government Printing Office, 1928), p. 683.

told Delegate Joseph he would sign the bill. He said that New Mexico deserved statehood more than any of the remaining territories. He referred to the promise made to old Mexico at the time of the cession. That promise was that statehood should be conferred on the ceded territory as soon as practicable. The president said that it was high time the pledge was redeemed.²²

All of which sounded so convincing that it is small wonder that democratic leaders in the territory immediately began to talk of sending Joseph and Fergusson to the senate! This, however, proved premature, since, when congress convened in December, the *Optic* reported: "It now comes by wire that his supreme highness, the autocrat of the white house, has given it out cold that he will not sign any more statehood bills."²³

The amount of newspaper space devoted to the statehood movement during the nineties indicates that this subject was of popular interest to newspaper readers in the territory. It does not, of course, prove that the masses of people favored the admission of New Mexico to the union. According to the census of 1890, 44.49 percent of the population of the territory over ten years of age were illiterate.²⁴ Taking the United States as whole, 24.28 percent were under nine years of age.²⁵ As the percentage of children among the native-born population was even larger, and New Mexico possessed few foreign-born, we may assume that at least 24.28 percent of her population was under *ten* years of age. The omission of these two groups would lead to the conclusion that not more than 30 percent of the citizens of New Mexico could have been newspaper readers in 1890, although there was a slight increase during the decade. What proportion of this group favored statehood it is impossible to say.

22. *Optic*, July 9, 1894; *Silver City Enterprise*, July 13, 1894. Both papers cited the *St. Louis Globe-Democrat*. See also the *Optic*, July 12, 1894.

23. *Ibid.*, December 11, 1894.

24. *Eleventh Census of the United States: 1890*, vol. 1, part II (Government Printing Office, 1895), p. 2.

25. *Ibid.*, part I, p. XV.

Thus the statehood convention of 1893, together with the newspaper space devoted to the cause, point to the conclusion that some of the citizens of the territory were actively interested in seeing New Mexico become a state. They do not, however, rule out the possibility that many citizens were either indifferent or hostile to statehood.

Of course, popular indifference to statehood, was not confined to New Mexico. Thus, Minnesota, in spite of its rapid growth in population in the middle 1850's, had been "in no hurry for statehood." "This," says a recent historian, "was due in part to the light territorial tax burden and the liberality of the federal government."²⁶ Apparently, however, their indifference was easily dissipated. The authority cited described the movement in a single paragraph, as follows:

In 1857, however, Governor W. A. Gorman made a vigorous appeal in favor of statehood. As long as Minnesota remained a territory, he said, it could not borrow money, nor could it expect grants of land for railroads. He also argued that a railroad ought to be built through Minnesota to the Pacific, and that this could best be accomplished through statehood. "There is no great interest," he said, "in which Minnesota has so heavy a stake to be won or lost, as in the Pacific railroad. It may be constructed so as to make us one of the wealthiest states in the Union. . . . A Pacific railroad will be a road to India. It will bring us in contact with six hundred millions of people . . . The millions of wealth that has for ages doubled Cape Horn will pass through the center of the continent." This argument apparently aroused the territorial leaders to action, and the following year Minnesota became a member of the Union.

The statehood movement in New Mexico did not advance with any such lightning rapidity. Territorial editors and politicians worked for years to bring the people of the territory to "demand" admission to the union. Success always

26. Carman, Harry J., *Social and Economic History of the United States* (Boston, 1934), vol. II, p. 195.

seemed just around the corner, but years were to pass before a new star was added to the flag. The resulting movement was not a steady growth but rather a series of cycles. Whenever popular interest seemed to strike a new high and party leaders keenly anticipated the wearing of senatorial togas, some catastrophe would give the movement a setback and blast their hopes completely. Thus in 1889 and 1890 when congress created five states in the Northwest, republican leaders in New Mexico had prepared to seize their great moment by drafting a constitution designed to assure them control of the legislature which would elect the senators for the new state. But alas! Their cleverly drawn instrument of government was defeated by a popular vote of two to one, and all their hopes turned to ashes. And, when these hopes had revived slowly but surely, the democrats were to "steal the legislature" five years later and again kill the statehood movement—until it revived by a boom at the turn of the century.

Doubtless many of the citizens whose adverse votes defeated the constitution of 1890 were in favor of statehood itself, but their enthusiasm for the cause was overshadowed by religious prejudice or unwillingness to sacrifice party advantage. Likewise, our study of the next decade will reveal a recurring unwillingness to accept statehood when it meant an advantage for the other party. In addition, however, there was opposition to statehood in itself.

Editorials in the republican territorial press in the early nineties were extremely pessimistic in tone. Thus the *New Mexican* for March 5, 1891 declared that the outlook for statehood was "none too bright," considering "the recent defeat of a very excellent, liberal and fair constitution through venomous partisanship, slanders, lies, superstition and ignorance . . ." Usually a strong champion of statehood, the Santa Fé paper sadly admitted that "the people of New Mexico are not as well fitted for statehood as we ourselves thought . . ." ²⁷ Statehood had gone "a glimmer-

27. *New Mexican*, Nov. 21, 1890.

ing,"²⁸ and it seemed doubtful if the time would ever come when it would be seriously considered "by earnest men." Judging "by the lawlessness and dishonesty displayed by the democratic leaders and bosses in New Mexico," it seemed to the *New Mexican* "as if a territorial condition was to be preferred anyway till there are 1,500 more miles of railway in this territory."²⁹

Pointing out that the democrats had begun to "talk statehood" less than a month after the referendum on the constitution of 1890, the *New Mexican* said: "go to, none of that in ours; the people of New Mexico by a large majority have said, they did not want to be a state, and as far as this paper is concerned, the verdict will stand for the time being."³⁰ A year later the Santa Fé paper had nothing but sneers for the efforts of the democrats. It said: "The bosses on the Democratic-White Cap central committee are agitating the question of the admission of New Mexico into the sisterhood of states; wonder what corrupt job they are up to?" This insinuation elicited a reply from the *Deming Headlight*, edited by Ex-Governor Edmund G. Ross, which said:

Since the defeat of the bastard constitution of two years ago, in which the people of New Mexico so vigorously sat upon its attempt to re-establish the old Santa Fe gang in perpetual authority, the *Santa Fe New Mexican* never omits an opportunity to give the statehood question a spiteful but impotent kick. . . . Statehood will come, all the same inside of two years, and it will be a people's, not a ring's, statehood.³¹

Before long, however, the republican papers of the territory were beginning to recover from their post-election "blues," and to look forward to better days. Thus the *New*

28. *Ibid.*, Jan. 2, 1891.

29. *Ibid.*, Nov. 26, 1890.

30. *Ibid.*, Oct. 10, Nov. 25, 1890.

31. The editorial from the *Headlight*, together with its quotation from the Santa Fé paper, appears in the *New Mexican*, Oct. 19, 1891. The article is entitled "What One of the Principle Boodle Organs and Defender of Ballot Box Thieves Thinks of the *New Mexican*."

Mexican for May 21, 1891, declared: "We believe in New Mexico. We have faith in her people, and consider the day not far distant when here must be erected one of the star states in the sisterhood."

Seven months later the *Albuquerque Citizen* observed:

In New Mexico there has been during a year and a half a remarkable change in the minds of the people with regard to statehood, and if the question could now be submitted to them they would emphatically express their desire for self-government. . . .³²

Less than a year later the *Optic* stated that "all the indications" pointed toward the admission of the territory during the winter.³³

Newspapers in the territory constantly asserted in their editorials that the people of New Mexico were in favor of statehood. Such claims were sometimes accompanied by statehood arguments, or by liberal estimates of the proportion of the population claimed for the statehood camp. No proof was ever given, or even a hint as to how the editor arrived at his estimate. Evidently this was a mere guess, the result not of the scientific methods of the statistician but of the wishful thinking of the propagandist. A few quotations may serve to illustrate the bold way in which Max Frost and his fellow editors in the territory strove to build up the case for New Mexico.

The *Optic* asserted in the spring of 1892: "New Mexico wants statehood. Her people are more than nine to one in favor of it."³⁴ The *Albuquerque Morning Democrat* added: "New Mexico is fully qualified for statehood. It has population and wealth enough to maintain a state government, and the people want that kind of a government. They are tired of being governed as the inhabitants of a province, and that is all that a territory is."³⁵ "Four out of five" seemed to be

32. *New Mexican*, Dec. 16, 1891, quoting the *Albuquerque Citizen*.

33. *Optic*, Oct. 13, 1892.

34. *Optic*, May 12, 1892.

35. *Albuquerque Morning Democrat*, June 23, 1892.

a favorite expression with the *New Mexican*. Almost at the close of the year 1895, that paper declared that four fifths of the people of New Mexico favored statehood and hence must bear the brunt of Catron's tactical blunders in congress.³⁶ Three days later—strange to say—possibly because of appropriate New Year's celebrations by the editor—this estimate had been reduced to "Four out of five of the Democratic voters of New Mexico . . ."³⁷

Friendly newspapers outside the territory echoed the refrain in their editorials. Thus early in the campaign year of 1894, the *Denver Republican* remarked: "The Republican National Committee has taken the right stand in urging the admission of Utah, Arizona, New Mexico and Oklahoma. Each of them are ready for statehood. Each has sufficient population and wealth, and the inhabitants desire the right to erect state governments."³⁸ A week later the *Pittsburgh Despatch* spoke of the attitude of the native people of New Mexico as follows: "of the population a large majority is of Spanish and Mexican blood, the leaders of whom are enthusiastically in favor of admission, although in past years they have opposed it."³⁹

The claim that the people of New Mexico wanted statehood also frequently cropped up in the interviews given to eastern papers by visiting politicians from the territory. Thus in the fall of 1891 the *St. Louis Globe Democrat* printed an interview from T. B. Catron who was registered at a local hotel. The Santa Fé leader who was described as "one of the most prominent and best informed men in the Southwest," said:

The people of New Mexico, today, are a unit for admission as a state. This was brought about by the operation of what is known as the anti-alien

36. *New Mexican*, Dec. 30, 1895.

37. *Ibid.*, Jan. 2, 1896.

38. *Optic*, Jan. 17, 1894, quoting *Denver Republican*.

39. *Optic*, Jan. 24, 1894, quoting the *Pittsburgh Despatch*. The editor added: "A congress so anxious to create democratic states that it can swallow the tardy repentance of the Mormon church, should have no trouble in accepting the loyalty of the Spanish-American element to the United States."

law. The law was passed on March 3rd, 1887, by Congress, prohibiting all aliens and alien corporations from owning real estate in the Territory, including mine property, and it drove most of the foreign capital away.⁴⁰

In January, 1894, the Denver *Republican* printed an interview with another Santa Fean, W. M. Berger—late registrar of the land office—who represented “the people of all parties as ripe for statehood.”⁴¹ In June of the following year, the New York *Commercial Advertiser*, gave wide publicity to a long interview with Governor W. T. Thornton. That gentleman, who was described as a typical westerner, although not “a typical hustler,” painted a rather bright picture of the future of the territory as a health-center and a land of irrigated farms and mines. In concluding his remarks, he said: “Irrespective of political parties, all who are interested in the welfare of New Mexico desire her to have statehood, and it will not be long before this boon will be granted her.”⁴²

Without doubt, pro-statehood leaders worked in season and out to foster the idea that the people of the territory demanded the immediate admission of New Mexico to the union. When one such leader apparently neglected to make this claim, a New Mexico editor supplied the deficiency. The gentleman referred to was Hon. Luis Sulzbacher of Las Vegas, a lawyer who had come out to New Mexico twenty-five years previously. While on his way to Washington to work for statehood in the spring of 1894, he gave an interview to the Pittsburgh *Leader*. This was reprinted in his home town paper with the headlines: “Sulzbacher on Statehood. It is an Imperative Necessity for the Progress of the country and the people are in Favor of it.”⁴³ Thus the ingenious editor added an important argument which the honorable gentleman had apparently forgotten to mention.

If the people of New Mexico wanted statehood in the

40. *Optic*, Sept. 23, 1891, quoting St. Louis *Globe-Democrat*.

41. *Optic*, Jan. 15, 1894, quoting Denver *Republican*.

42. *New Mexican*, June 29, 1895, quoting New York *Commercial Advertiser*.

43. *Optic*, April 10, 1894, quoting the Pittsburgh *Leader*.

early nineties, it is quite evident that they did not desire it strongly enough to lead them to work together for the prize. The *Denver Republican* repeatedly lectured its southern neighbors on this lack of team work. In January, 1892, the Colorado paper expressed surprise that anyone in New Mexico should oppose statehood. It voiced the opinion that if the people of the territory united in a request for admission, congress would pass an enabling act.⁴⁴ The year before this, the *Republican* declared that unless the people of New Mexico settled their differences and united in a petition for admission, they would be left out of the union, while Arizona would get in.⁴⁵ In the spring of 1895, the *Optic* said that the Denver paper hit "a hard blow at some of the New Mexico papers, which turned against statehood because of political spleen, . . ." It argued that it was "so evident" that New Mexico should be admitted that there would probably not be much opposition in congress. The *Republican* concluded: "the people of that territory should agree among themselves, on the conditions under which they may seek admission, for dissention might prove an obstacle to the passage of an enabling act. Every man in New Mexico should favor admission, and all should work heartily to accomplish that result."⁴⁶

Enthusiasm for statehood, however, was a sort of hot-house plant, easily chilled when there was any prospect of advantage for the other party in the wind. While both democratic and republican newspapers claimed that a large proportion of the citizens of the territory wanted statehood, they made it clear that this was on the condition that their party or their locality should not lose—even temporarily—by the change. Thus early in January, 1893 its Santa Fé correspondent wrote the *Optic* that the people of the ancient city "all wanted statehood, but we will serve notice, now that the new constitution, when submitted for adoption, must not be weighted down with the relocation of the capitol on its

44. *Optic*, Jan. 20, 1892.

45. *Optic*, Sept. 16, 1891.

46. *Optic*, March 8, 1895, quoting the *Denver Republican*.

back.”⁴⁷ Shortly after Cleveland’s second inauguration, the Deming *Headlight* asserted that it was “not opposed to statehood, *per se*, for New Mexico; but thinks that the time for admission has not yet come. People and conditions must be brought up to a higher and different standard.”⁴⁸ The editor added that these had been his views for a long time. The following January, when there was talk of drawing up a new constitution for New Mexico, the *Headlight* announced that it would favor “any constitution which is not prepared in the interests of mere politicians, time-servers and speculators.” After quoting this dictum of Editor Ross, the *Optic* declared that it favored statehood “under any circumstances, and only wishes that it could be hastened by a year.”⁴⁹

Apparently this staunch republican journal did not approve of trifling with whatever chance there might be for the territory to slip into the union. Shortly before the election of 1892, the *Optic* had declared that even Delegate Joseph saw that statehood “would receive its death blow by the election of a democratic legislature,” and had “advised his party, on his return from Washington City, to surrender the legislature to the republicans, as a necessary measure for securing statehood.”⁵⁰ But “that party” the *Optic* declared “cared more for the emoluments of office than for the prospects of statehood, and so repudiated the wise suggestion of their leader. Loss of statehood, then, would be an undeniable result of electing a democratic legislature.”

Long before the campaign of 1894 was over, however, the *Optic* forsook its “statehood at any cost” principles—if, indeed, it ever really entertained them, and placed party advantage squarely above the admission of the territory to the union. This tendency of statehood sentiment to evaporate in the presence of adverse circumstances may be demonstrated by a brief discussion of this campaign and its aftermath. The fact that the territorial conventions of both

47. *Optic*, January 3, 1893.

48. *Optic*, March 14, 1893, quoting Deming *Headlight*.

49. *Optic*, Jan. 2, 1894.

50. *Optic*, Oct. 18, 1892.

political parties had declared for statehood would seem to suggest the existence of popular support for the movement. It would also seem to have removed the question from politics; nevertheless, it was an important issue in the campaign. In May the *Optic* predicted a republican victory, citing among other factors "the democratic juggling with statehood, by which New Mexico has been purposely kept in the territorial condition . . ." ⁵¹ In their platform the republicans declared that their party had persistently favored the admission of the territory, and accused the democrats of bad faith for "refusing to redeem its pledges of two years ago, to give us statehood." ⁵² Their opponents, however, were said to be "trying to capture votes by the plea that the best way to promote the admission of the territory is to give the Democrats a majority." ⁵³ That party was in power in Washington, and a correspondent there wrote the *Santa Fé Republican* that "unless the territory returns a handsome Democratic majority, this congress will not grant statehood to New Mexico." ⁵⁴ Referring to this despatch, the *Optic* added the comment: "The rich prize of statehood is dangled before New Mexico and Arizona to persuade them to vote the Democratic ticket, and disregard the free wool, free lead and discredited silver clauses of the tariff and silver bills."

Antonio Joseph, who was serving his fifth term as delegate to congress, was a candidate for reëlection on the democratic ticket. Even republicans at times explained his long service in the national capital on the ground that he was "the most popular man in the territory." ⁵⁵ Thomas B. Catron was the republican standard bearer. Prior to the

51. *Optic*, May 25, 1894.

52. The text of the platform, which was drawn up by the territorial convention at Socorro, Sept. 20, 1894, is given in the *Optic* for Sept. 21, and Oct. 19.

53. *Ibid.*, Sept. 26, 1894. The *Optic* added: "This plea may catch some votes, though its honesty is open to question. Since the bill has already passed the Democratic house, it might be better policy to consider the effect of the election on the Republican Senate." See also the *Optic* for Oct. 13 for a similar editorial from the *Denver Republican*.

54. *Ibid.*, Aug. 30, 1894.

55. *Optic*, March 31, 1892.

nominations, the *Optic* had declared that the Santa Fé leader, while "an able and brainy man, could scarcely be expected to win, even if the democrats should again nominate the champion do-nothing Joseph."⁵⁶ This opinion was based on the fact that Catron had made the race two years before and had been defeated, his opposition to the Kistler school law in 1889 and his reputation for being more interested in land grants than in the welfare of the territory. Joseph's popularity, however, could not keep sheep raisers and mining men from feeling that democratic policies had "knocked the bottom out of their business."⁵⁷

During the campaign the *Optic* vigorously fought the "little scheme to get the Republicans to concede the [office of] delegate to the Democrats on account of the promise of statehood."⁵⁸ The Las Vegas paper declared: "Statehood is not so great a boon as to be purchased at the price of Democratic dominancy. In fact, it is doubtful if we want statehood under Democratic rule. Much of the future of any state depends upon the character of the state government with which it begins its career. Let us, then put off statehood until after New Mexico is redeemed from the thralldom of democracy."⁵⁹ A little nearer election the *Optic* stated briefly but boldly "Republican success is more valuable now than immediate admission."⁶⁰

When the campaign was finally over, Catron had been elected delegate by a plurality of over 2,700 votes.⁶¹ The Las Cruces *Democrat* admitted that the election was a corrupt one, and testified to the general desire to hush up such matters for fear of damaging New Mexico's chances of early admission to the union. The *Democrat* said:

56. *Ibid.*, June 25, 1894.

57. *Optic*, June 8, 1894.

58. *Ibid.*, Sept. 29, 1894.

59. *Ibid.*, August 29, 1894.

60. *Ibid.*, Oct. 2, 1894.

61. Catron to F. M. Cox, Nov. 16, 1875. Catron received 18,113 votes, while Joseph received 15,351. Catron was writing to furnish data for the Congressional Directory.

The saturnalia of drunkenness, debauchery, bribery and corruption called an election in New Mexico has come to an end for the present, . . . If any stranger, observing the damnable corruption of our political campaign, ventures to speak or write the truth . . . , we all jump upon him with both feet, shriek that he is a malignant libeller, and swear that our people are the most incorruptible on earth. Why? Because, forsooth, the publicity of the facts might hamper us in the struggle for statehood.

The editor declared that he did not hold the native Spanish-American voters responsible for this condition, but rather American politicians who have taught him

. . . . that the suffrage is a commodity, exchangeable in open market for provisions, clothing, whiskey, or cash, and when a poor devil can secure provisions for his family for two or three months by simply placing in a box a slip of paper that means absolutely nothing to him so far as he knows, who can blame him?⁶²

With such an election it is easy to see how doubt might arise—or be cultivated—as to who had been elected to the legislature. The republicans claimed a number of seats; in fact, the *Optic* declared that there was not the least doubt that they had a majority of the legislature.⁶³ When that body convened on December 31, 1894, however, the democrats proceeded to organize the legislature according to a carefully laid plan. Lorion Miller, the secretary of the territory, a democrat appointed by President Cleveland, simply refused to swear in certain gentlemen who claimed to have been duly elected.⁶⁴ Apparently his determined attitude was made more effective by the presence of a sheriff with a posse of armed deputies.⁶⁵ The result was that eleven republicans walked out of the house, and the democrats were left in complete control.

62. *Optic*, Nov. 12, 1894, quoting *Las Cruces Democrat*.

63. *Optic*, Dec. 26, 1894.

64. Albuquerque *Daily Citizen*, Jan. 16, 1895, quoting the *Denver Republican*.

65. Albuquerque *Daily Citizen*, Jan. 2, 1895.

It was a fore-gone conclusion that the result of the election and the "steal" of the legislature would affect statehood sentiment, stimulating it in some quarters while killing it in others.⁶⁶ The democrats quite naturally thought the prospect very bright.⁶⁷ Governor Thornton devoted a full page of his message to the legislature to the aspirations of his people for statehood. Declaring that "For more than forty years our people have labored continuously and arduously for admission to the sisterhood of states," he complained that their "wishes" had been "ignored." He added:

Defeat and disappointment in the past have in no degree dampened the ardor and enthusiasm of our people for statehood and independent self-government; we are as anxious as ever for statehood today, and our hearts are filled with hope that success is about to crown our efforts, . . .⁶⁸

While the governor failed to mention it, republican newspapers were ready to suggest that one of the hopes which excited the territorial democracy at the moment was that of sending Fall and Fergusson to represent the new state in the United States senate.⁶⁹ Indeed, possibly this was the chief purpose of the coup d'etat.

As for themselves, republican papers lost all interest in immediate admission. Several did not wait for the legislative steal before they attacked statehood. Rumors of democratic plans put them in opposition immediately. A few

66. *Optic*, Jan. 2, 1895, quoting Albuquerque *Morning Democrat*. In defense of the legality of the proceedings, the *Democrat* said: "According to a decision of the Supreme Court of the United States, the only lawfully qualified members of a legislative body, are those who have been sworn in by the secretary of state or territory." The *Optic* declared that the *Citizen* was "taking things pretty badly because the loss of the prospect of being public printer seems to have gone to the brain. The fact is that the democrats had a good opportunity to capture the legislature—an exceedingly good one—and they used it: just as the republicans would have done, had the tables been turned, and just as the republicans had captured several previous legislatures. *Ibid.*, Jan. 3, 1895.

67. Albuquerque *Morning Democrat*, Jan. 5, 1895.

68. *Proceedings of the Legislative Council of the Territory of New Mexico: Thirty-first Session* (Santa Fé, 1895), pp. III-IV.

69. *Optic*, Jan. 7, 1895.

quotations will reveal something of the bitterness with which they regarded the situation. On November 19, the *Optic* declared that unless elections could be made pure, "New Mexico neither deserves nor should receive statehood." Shortly before Christmas the Clayton *Enterprize* remarked: "There will be little opposition to statehood, if common honesty prevails in the organization of the legislature."⁷⁰ On December 24, the *Optic* commented: "The general assembly convenes in Santa Fe a week from today. Statehood probably hinges on the manner of its organization." Two days later the *Optic* added: "A number of New Mexico papers continue to 'nurse their wrath to keep it warm,' over the prospect of the Democrats stealing the approaching legislature."⁷¹ We give three characteristic extracts:" These—somewhat abbreviated—are as follows:

Rumors are rife in our exchanges, charging that the Democrats will attempt to organize both branches of the legislature, by fair means if possible, by foul means if the deed cannot be done otherwise. *Rincon Shaft.*

No greater calamity can befall New Mexico than to be admitted to statehood under its present management. The expressed will of the people is to be trampled under foot, the honest voters are being insulted and publicly denounced, by the recognized organ of the officials; religious fanaticism is appealed to in the hope of bringing on contention and strife, and then we are told that such men are fitted to lead honest and decent men into statehood affairs. *Raton Range.*

The only thing left to secure the defeat of the ringsters who have determined to usurp authority in this territory is to solidly unite and defeat the state constitution when it is submitted. This will knock their schemes too dead for resurrection, and save the people from the ills of being controlled and outraged by a ring of tricksters, who would plunge the young state into hopeless bankruptcy. *Albuquerque Citizen.*

70. *Optic*, Dec. 20, 1894, quoting the Clayton *Enterprize*.

71. *Optic*, Dec. 26, 1894.

The Raton *Range* had taken a strong stand soon after the election. The *Optic* for November 23, 1894, gave the attitude of the Colfax county paper in an item entitled "Not Fit for Statehood." The *Optic* said:

The Raton *Range* has never favored statehood; but now it is more opposed than ever, owing to election frauds and Democratic methods. Capt. Collier says:

God forbid that New Mexico should become a state until we can be assured of reasonably fair officials and ordinarily decent government. Neither can be expected from the outfit now disgracing the territorial management.

If the present damnable program is carried out, and the fairly elected representatives of the people are deprived of their positions by the Democratic-federal officials, we don't believe New Mexico is fit for statehood or capable of self-government, if they submit to such treatment, without a struggle.

We appeal to every fair-minded man to watch the proceedings of the organization of the next territorial legislature. And if their honestly-elected representatives are denied their seats, let them organize and unite to defeat statehood until two years hence, when the dishonest officials now yielding power to the detriment of the territory, will be swept into everlasting oblivion.

The chorus of republican newspapers throughout January, 1895, was that "statehood is dead." The *Rincon Shaft* made the sarcastic suggestion "that the native New Mexican people memorialize Congress at once, protesting against statehood, the main reason being that the eastern-born people, now claiming citizenship in the territory, are not fitted for that important chance, and are not capable of governing themselves."⁷² "Bippus," the Albuquerque correspondent of the *Optic*, said in his column for January 14:

But what of statehood, now? The spectacle of a five for a nickle demagogue like Miller, setting at

72. *Optic*, Jan. 5, 1895, quoting the *Rincon Shaft*.

defiance, not only the will of the people as expressed at the polls, but also law, order, and common decency, is not calculated to inspire the senators in Washington with a desire to give statehood to a people who quietly permit such political shysters to defraud them of their rights, and by that fact prove that they are not capable of self-government. The present indications are that statehood is a dead issue, killed by the very schemers who expected to reap the lion's share of office and plunder.

The *Albuquerque Citizen* for January 17, predicted that if a state constitution were submitted to the people it would be defeated. The *Citizen* said:

The *Citizen* clearly, plainly and forcibly stated that it would help defeat statehood, if the Democrats overrode law and justice in organizing the present legislature. The secretary and his willing tools did what they said they would do, and the result is that people of New Mexico are in a frame of mind to defeat the proposed constitution when it is submitted. They are convicted that to vote for statehood would only be a perpetuation of power of the disreputable gang who are now illegally in the majority in both branches of the legislature, and give them an opportunity to bankrupt the new commonwealth by the reckless use of the public credit.

If the enabling act passes, Mr. Miller will be the returning board to count in the members of the constitutional convention. His scoundrelism is so evident and clearly proven, that no one can doubt that he would count in the gang who would serve his interests, and the proposed constitution would be a patchwork of ignorant partisanship. This territory would be benefited by statehood if the state would be organized on honest business principles, but this paper believes that it is serving the people by its present course, and will follow it till convinced that a different policy is conducive to the public good.

After referring to recent "outrages" in New Mexico, the *Denver Republican* predicted about the middle of January that statehood would be "in danger of being killed in

New Mexico itself if there were no assurance of an honest count and canvass of the votes cast at the first election to be held under the new state government.”⁷³ The Colorado paper added: “Better to be ruled from Washington as a province than to let fraud at elections defeat the popular will.”⁷⁴ Doubtless “Bippus” heartily echoed this sentiment. After criticizing the acts of the legislature, especially the Hinkle school fund bill, he said on January 21:

The most earnest advocate of statehood must admit that the present legislature has demonstrated the fact that statehood, if now conferred, while the disreputable gang controlling the machinery of government is in power, means ruin for our territory; and that it will put us back at least fifty years behind the march of progress and civilization.

While many of the territorial newspapers diligently sought to spread the idea that the great majority of the citizens of New Mexico favored statehood, they did not cling to this view consistently. Thus the *Optic* departed from its usual point of view early in January, 1893. In his message to the legislature, Governor Prince had presented the subject of statehood and urged that an appropriate memorial be sent to congress.⁷⁵ In his peroration Prince said:

Our people are mainly the descendants of the two great nations which insisted on the rights of the people in England under Magna Charta, and drove the Moors out of Spain that self-government should reign there. They are the children of the patriots who fought for the independence of the United States in 1776, and of Mexico from 1810 to 1821. Surely the sons of such sires must be capable of self-government!⁷⁶

73. *Optic*, Jan. 19, 1895, quoting the *Denver Republican*.

74. Another editorial from the *Denver Republican* is given in the *Albuquerque Daily Citizen*, Jan. 16, 1895.

75. *Proceedings of the Legislative Council of the Territory of New Mexico: Thirtieth Session* (Santa Fé, 1893), pp. vii-x.

76. *Ibid.*, p. x.

There was nothing unusual about the governor's remarks, but the comment which they provoked was quite significant. The *Optic* said:

The message of the governor argues ably and unanswerably in favor of statehood. It cannot be denied that New Mexico has every requisite for admission into the union. The governor, however, neglected to say whether the native people of the Territory desire statehood. That is a point now receiving a good deal of attention. Many believe that the masses of the native people do not wish statehood, and that, if Mr. Catron had announced himself as opposed to it, on that issue he would have overwhelmingly defeated Mr. Joseph. It is doubtful if many of the democratic leaders now desire statehood, since they are certain of the federal patronage in the territory. It may be, then, that the arguments in favor of statehood should be viewed from the other end of the line, and should be addressed to our own people rather than to congress.⁷⁷

The *Optic*, then, admitted that it was an open question whether the people of the territory wanted statehood or not.⁷⁸ Some of its contemporaries went still further and answered the query in the negative. Thus the *Deming Headlight* said on March 7, 1893: "It is only the politicians who are howling for immediate statehood. The taxpayers and people of the territory, generally, would vote down a statehood proposition, if it were submitted to them, tomorrow—precisely as they did two years ago. What our people are eager for is such a change of conditions as will make statehood desirable and acceptable. It is now openly urged all over the territory that the last legislature will constitute a standing argument against statehood for a long time to come."⁷⁹

77. *Optic*, Jan. 4, 1893.

78. See also *Optic*, July 23, 1894.

79. Cf. the following from the *St. Joseph, Mo., Herald*: "The proposition for admission comes, not so much from the people, as from the men who are desirous of attaining to the offices; . . ."

Quoted in *Optic*, Feb. 20, 1893.

That opponents of statehood talked much the same in Arizona and New Mexico was asserted by the *San Marcial Reporter* in November, 1891. The remarks were explanatory of the following item quoted from an Arizona exchange:

"I am a Hassayamper," said an old prospector yesterday in an Allen street saloon, "and I want it understood that the pioneers of this territory don't want any statehood. We came to this country before you youngsters came, we've had plenty to eat under our present form of government, and don't want a change. There were better times in our territory when beans were 50 cents a pound and onions 25 cents a piece than there have been since the railroads brought in a lot of Yankees. If the youngsters want to live in a state let them go back where they came from, and let we'uns who came here first have a little say."⁸⁰

Several weeks after the election of 1894 an editorial appeared in the *Optic* which discussed the attitude of the people with the greatest candor and frankness. The *Optic* said:

There is great talk of statehood for New Mexico and Arizona, by the press of the two territories, and by the political press of the general country. Yet there is considerable doubt whether the statehood proposition, if submitted to the people of the two territories, would carry in either. In Arizona, there is a large part of the people, without party distinction, who oppose statehood entirely on financial grounds. Whether in a majority or a minority, only an actual election can demonstrate. In New Mexico a very large and important element of the Anglo-American population have their doubts, serious and pressing, whether New Mexico is at present at all qualified for statehood; and it is generally conceded that the majority of the Spanish-American population are indifferent, if they do

80. *New Mexican*, Nov. 25, 1891, quoting the *San Marcial Reporter*. The latter paper added: "That sounds like the talk of New Mexico's 'breechclouters' who with the Democratic organization under the lead of Childers, Ross, et al., and the other enemies of free schools and progress, doomed New Mexico to an indefinite period of dependence and bondage."

not actually oppose the movement. It is certain, therefore, that even after congress passes an enabling act, statehood can be secured for New Mexico only by the united and harmonious and energetic efforts of both of the political parties.⁸¹

So far we have presented the opinion of contemporary newspapers that there was a considerable body of opposition to statehood among the people of New Mexico in the early nineties. Perhaps our readers have found the repetition tedious, but the evidence is cumulative and one or two samples would give no hint as to its quantity. Of course, all this is mere newspaper opinion, taken largely from the files of one paper. However, since the *Optic* normally fought for statehood, we hardly think that the editor would have overestimated the strength of the opposition. Perhaps, though, we should now strive to get away from generalities and indicate—a little more definitely—who these people were who opposed the admission of the territory to the union. While still relying largely on newspaper testimony, we can offer a little substantiating data from the Catron correspondence and from interviews with old timers.⁸²

As we shall mention a few names in the course of the discussion, perhaps we should caution the reader against jumping to any rash conclusions. Some opposed statehood because they were loyal party men who fell into line with the idea that it was good political strategy to do so at the moment. Others had more individual reasons for their attitude. Both groups had a right to follow the course of action which seemed best to them. Perhaps it was natural for enthusiasts to try to hush them up, but we today have no right to question the sincerity of their motives. It is all ancient history, anyway.

81. *Optic*, Nov. 20, 1894. On Dec. 10, the *Optic* said: "The *Cleveland Leader* says that the chances are that the territories of Arizona, New Mexico and Oklahoma will be admitted to the union before the end of the present session of Congress, in spite of their Republican majorities in the recent election." In commenting on this forecast, the *Las Vegas* paper concluded by saying: "Consequently, statehood seems assured, provided only the people shall be found to desire it."

82. Catron was a determined fighter for statehood for a number of years. See the *Review*, vol. xiv, pp. 28-30. Unfortunately old timers do not care to be quoted.

Probably the most persistent charge throughout the 1890's was that the federal officeholders in the territory were opposed to statehood. Thus early in 1894 the *Denver News* sized up statehood prospects for the western territories briefly as follows:

Utah, Arizona, and New Mexico are in imminent danger of being left out in the cold again until another congress meets. The administration is hostile to their admission because the eastern money power objects to more silver senators. The Republicans object to their admission for political reasons, and last but not least, the Cleveland office holders in the Territories are working secretly like beavers to prevent statehood and the loss of their official position.⁸³

Under the circumstances this charge was quite plausible and few governors of the territory escaped. Even Governor Otero, who was very active in the cause of statehood, was not immune. As late as January, 1903, he found it necessary to send the following telegram to a member of the legislature of California:⁸⁴

I understand that Senator Hahn of Pasadena, states that our people as well as myself are opposed to statehood for New Mexico. Such a statement, if made, is absolutely untrue. Delegate Rodey's majority last fall of nearly 10,000 on a statehood plank certainly expressed the wishes of the people on that question, and my attitude in favor of statehood of New Mexico is too well known to need any explanation on my part. My annual report to the interior department, messages to the legislature, and frequent calls for statehood conventions will thoroughly answer any such statement.

(Signed) MIGUEL A. OTERO,
Governor of New Mexico.⁸⁵

83. *Optic*, Feb. 5, 1894, quoting the *Denver News*. See also the *Albuquerque Morning Democrat*, March 15, 1895.

84. Senator W. H. Savage.

85. Otero, Miguel Antonio, *My Nine Years as Governor of the Territory of New Mexico, 1897-1906* (University of New Mexico Press, Albuquerque, 1940), p. 201.

For a fuller discussion of this charge with reference to Gov. Otero, see the *Review*, vol. XIV, pp. 24-25.

Evidently strong championship of the cause did not prevent leaders from being charged with opposition to statehood at times. Thus Colonel George W. Prichard had taken a prominent part in the movement in 1889 and 1890. He was not only a member of the convention to draw up a constitution for the proposed state, but had himself sponsored the bill in the council which provided for the calling of that body. Prichard had come to New Mexico in 1879,⁸⁶ and became a prominent lawyer and republican leader. Later he served for three years under Governor Otero as attorney general for the territory, and as a member of the constitutional convention of 1910. Yet in spite of this record, this leading citizen is said to have opposed the admission of the territory to the union in 1892. The charge was made by Catron in a letter to his friend, Senator Stephen B. Elkins of West Virginia. Having heard rumors of the resignation of James O'Brien as chief justice of the territorial supreme court, Catron was writing to recommend Sulzbacher for the place. He added:

I understand from the *Optic* that L. C. Fort, G. W. Prichard and Francis Downs are all applicants for this place. Prichard and Downs are both opposed to the State movement, because they know they will have no chance for preferment under it. Prichard formerly favored the State movement, but when he learned that O'Brien was liable to resign he changed his opinions and wrote a letter to Platt opposing it and abusing our people very severely. Downs is the man who was put in the jail, with others, by Axtell for contempt of court.⁸⁷

Since Catron was trying to promote the candidacy of one man at the expense of others, his testimony cannot be regarded as impartial. Prichard and his fellow lawyer, Downs, may have opposed the admission of the territory at a time when it seemed likely that the democrats would gain

86. Coan, Charles Florus, *History of New Mexico* (Chicago, 1925), vol. 3, p. 353.

87. T. B. Catron to S. B. Elkins, August 3, 1892.

thereby but we may be certain that the former, at least, was not opposed to statehood, *per se*.

In January, 1895, the rump territorial legislature adopted a joint memorial reciting the advantages of statehood and praying congress to grant New Mexico that great gift.⁸⁸ While this was a victory for the pro-statehood forces, it is clear that neither all citizens of the territory nor all members of the legislature were in favor of the action taken. The preamble is significant:

WHEREAS, Numerous reports have been sent out to the effect that the passage of the act pending in the Senate of the United States for the admission of the territory of New Mexico is not desired by the people of New Mexico, which said reports misrepresent the public sentiment in said territory: . . .⁸⁹

The memorial did not pass without opposition. The house journal reveals the fact that four members cast dissenting votes. The following account of the debate is taken from the Albuquerque *Democrat*:

A lively and interesting discussion ensued, developing that an overwhelming majority in the house favors statehood. Mr. Carr moved that the memorial be adopted and in so doing said: "Owing to recent disturbances familiar to all, there has developed a certain sentiment against statehood. I think, however, that we should have an opportunity to vote on this measure by obtaining the passage of the enabling act. I am and have been from the first a friend of statehood and do not propose to be driven from this position by partisan outcry. . . ."

Mr. Martin was opposed to the memorial and to statehood on the ground that it would raise our

88. This was House Joint Memorial No. 2. It was introduced by W. E. Dame of Santa Fé county. It passed the house of representatives on January 24, 1895. *Proceedings of the House of Representatives of the Territory of New Mexico, Thirty-first Session* (Santa Fé, 1895), p. 93. It passed the council on January 30, 1895. *Proceedings of the Legislative Council of the Territory of New Mexico: Thirty-first Session* (Santa Fé, 1895), p. 95.

89. *House Journal* (1895), pp. 92-93.

taxes much above the present figures. Mr. Pino said that he was indescribably shocked at the position of the gentleman from Socorro, Mr. Martin. He said that he could not conceive upon what principle so sensible a son of New Mexico as Mr. Martin could oppose statehood. Mr. Martin must have changed his views on the subject, for a few weeks back he was a most persistent and consistent friend of the statehood cause. He said that the position of the gentleman from Socorro was little short of treason in the interests of New Mexico. . . .

Mr. Martin said that he hoped lightning would strike him if he ever voted in favor of statehood. He said that the only persons who favor statehood are the politicians and a "few damnable land grabbers." The roll call then proceeded on the adoption of the memorial. . . . The total vote stood 19 to 4, those voting in the negative being Messrs. Martin, Valentine de Baca, Miguel Martinez, and Mora.⁹⁰

The memorial encountered opposition in the council also. On January 29, it was read twice by title under suspension of the rules.⁹¹ The motion of a member,⁹² that the rules be suspended for the third reading failed to win the necessary two-thirds vote and was lost. Of the twelve members present, five voted in the negative: J. A. Ancheta (Silver City), J. F. Chavez (Los Lunas), Nicholas Galles (Hillsboro), Walter C. Hadley (Albuquerque), and Pedro Perea (Bernalillo). On the next day Ancheta offered the following amendment:

We further memorialize Congress to immediately enact a law making it felony for any Secretary of any Territory to usurp power, or to use revolutionary methods in organizing any Territorial Legislature in any Territory of which he is Secretary.⁹³

90. Albuquerque *Democrat*, January 25, 1895. The *Optic* for the same date mentions the adoption of the memorial but gives no details of the debate.

91. *Council Journal* (1895), p. 88.

92. W. B. Bunker.

93. *Ibid.*, p. 94.

The amendment having been tabled by a vote of 8 to 4, the memorial was then adopted by the council. Ancheta and Hadley voted "no."⁹⁴

Perhaps we may regard these two members of the council as representatives of the active opposition to statehood in the middle nineties. Ancheta was a young man of about thirty years of age—the son of a refugee from a Mexican revolution. After graduating from St. Michael's College, Santa Fé, and Notre Dame University, he had taken up the practice of law in Silver City. He was appointed district attorney in 1889, and was twice elected to the council. He was widely known in New Mexico as the innocent victim of an attempt to assassinate T. B. Catron. On a February night in 1891, while leaning against a window in the latter's office, he had been shot in the neck and shoulder. He died in 1898.⁹⁵

Walter C. Hadley was a native of Indiana who came to New Mexico for his health in 1880.⁹⁶ His father, Hiram Hadley, who had been active in building up the school system of the Hoosier state, followed him seven years later to be near his invalid son.⁹⁷ An able educator, the father served New Mexico as the first president of the agricultural college, and later as territorial superintendent of public instruction. Walter Hadley had been educated at Haverford College, and had later taken a course in mining engineering at the University of Chicago. On coming to New Mexico, he first tried journalism, then mining. A pioneer in both fields, he was eminently successful in the latter. He owned the Bridal Chamber mine in Sierra county, where they found the largest chunk of silver ore ever discovered in that region. A man of fine moral character, considerable wealth and the

94. *Ibid.*, p. 95. The *Morning Democrat* for February 1, 1895, said: "It is pleasant to record that the memorial passed the council after some bitter discussion on the part of the enemies of Secretary Miller that had no real bearing on the matter in hand and which was, as a matter of fact, of no real significance."

95. Twitchell, *op. cit.*, II, pp. 509-510.

96. *Hiram Hadley*. Prepared and privately printed by Anna R. Hadley, Caroline H. Allen and C. Frank Allen (Boston, 1924), p. 24.

97. *Ibid.*, p. 32.

highest social position, Hadley was one of the first citizens of the territory. He lived in Las Cruces and Las Vegas during his first years in New Mexico, but later moved to Albuquerque. Here he became president of the Commercial Club. When he died in 1896 at the age of thirty-nine, he was one of the best known men in the territory.⁹⁸

Hadley was a good writer and was in touch with prominent people back east. He was sincerely opposed to statehood, and there is evidence that his use of his talents gave some of the leaders of the movement grave concern. Thus two of Catron's correspondents in 1895 connected his name with opposition to statehood. Frank W. Clancy wrote, February 22, revealing strong suspicions of the silver mining man:

While I was in Washington Senator Carey asked me who was writing letters from New Mexico to Senator Platt which were calculated to prejudice him against us. I told him that I did not know, because you were the only person that I knew who was in communication with Senator Platt. Since I have been here however I have heard something which leads me to believe that the unfriendly influence is to be attributed to Mr. Walter Hadley. Now I don't want you to mention this as coming from me, but I want you to know the fact for your own guidance and because it may possibly enable you to counteract it in some way. Senator Carey told me that he knew that somebody was continually writing to Senator Platt in such a way as to produce a bad impression.⁹⁹

More definite information regarding Hadley's activities was supplied several months later by W. H. H. Llewellyn who wrote on October 1:

98. *Optic*, Feb. 17, 1896. The second building to be erected on the campus of the University of New Mexico was named Hadley science hall in honor of Walter Hadley. His widow contributed ten thousand dollars toward its construction. U. N. M. Board of Regents Minutes, Book A, p. 155. See also the *Mirage*, vol. I, No. 3, pp. 3-4.

99. Catron Correspondence, which has been loaned by the sons of Senator T. B. Catron to the University of New Mexico.

Recently in Chicago I met Oaks Murphy of Arizona¹⁰⁰ and in talking regarding statehood for New Mexico he made the remark that the people of said Territory did not want statehood and that therefore we would not get in.

I told him that he was mistaken and in reply he said that Walter Hadley had so informed him and that Walter had represented to him that $\frac{3}{4}$ of the people were opposed to statehood.

I should think that Pedro Perea could stop this kind of talk.¹⁰¹

Perhaps a thorough search in Washington will turn up these letters to the chairman of the senate committee on territories. Democratic sources were inclined to regard them as very damaging to the cause. Thus, shortly after the expiration of Antonio Joseph's term in congress, the *New Mexican* stated that in an interview with a reporter he had laid "the defeat of statehood on the republican senators, who were influenced, he says, by leading New Mexico republicans."¹⁰²

Somewhat later, while Catron was delegate to congress, the *Santa Fé Sun* said "the main factor in the defeat of the [statehood] bill was the deluge of letters from republicans in New Mexico to the republican senators on and off the committee, . . ."¹⁰³

One way in which territorial leaders strove to counteract anti-statehood propoganda may be seen in a letter which Catron wrote to Senator Carey, January 15, 1893. He said:

100. Nathan Oakes Murphy was delegate to congress from Arizona from 1895-1897. He was governor of the territory twice, from 1892-94; and from 1898-1902. *Biographical Directory of the American Congress*, p. 1347.

101. W. H. H. Llewellyn to Catron, October 1, 1895.

102. *Optic*, March 19, 1895, quoting the *New Mexican*.

103. Undated press clipping found in Catron Correspondence (1895-1897). Cf. the following from the *Optic* for July 15, 1892: "The Deming *Headlight* is aiding the enemies of statehood in the senate, by arguing that the people of New Mexico would defeat a constitution if submitted to them."

I understand that Senator Wolcott,¹⁰⁴ during the vacation visited Taos county to attend an Indian Festival, and that he reports that our people are opposed to Statehood and that the Mexicans are behind the Indians in intelligence. That is the county which has the largest proportion of Mexican people of any county in the Territory and in that county there are some few people who are opposed to Statehood, but there are not more than one to ten. I have enquired of many prominent men from the town of Taos where Senator Wolcott was whether they had conversations with him and they informed me that they did not. One of those is the Hon. Pedro Sanches, a personal friend of Mr. Teller and at present a member of the Legislative Council. He tells me he saw Senator Wolcott in company with a gentleman by the name of——,¹⁰⁵ most all of the time he was there. —— is a man who has soured on the world. He never has a pleasant word to say about any one, and while he claims to be a republican, he always works with the democratic party. I do not consider him reliable at all. I only refer to this to show you how easily a false impression may be obtained with reference to our people, by a gentleman who went to visit an Indian festival. Those Indians, by the way, are not savages; they are civilized. They all speak Spanish, many of them read and they all belong to the Catholic church.

Our next article will describe the silencing of the opposition at the beginning of the twentieth century.

104. Edward Oliver Wolcott was a senator from Colorado, 1889-1901. He was a native of Massachusetts and a graduate of the law department of Harvard University. *Biographical Directory of the American Congress*, p. 1722.

105. For obvious reasons, the name which appears in the Catron letterbook is omitted here.

A PIONEER STORY

THE TRAGICAL DEATH OF DOCTOR J. M. WHITLOCK IN 1868 AT FORT STANTON, NEW MEXICO

JOHAN MARMADUKE WHITLOCK, M.D., was a native of Kentucky and immigrated to New Mexico in the early 40s. He settled in Las Vegas, married Mrs. Josefita Lucero of San Miguel County and moved to Agua Negra valley.

When the Civil War broke out, he enlisted as a surgeon for the First New Mexico Volunteers—Colonel Christopher (“Kit”) Carson commanding—serving until the close of the war, then taking up the practice of his profession in Las Vegas.

For a short time during the year 1862 his family lived in Albuquerque. He had two children at that time, John M. Whitlock and Josefita Whitlock Robinson, both since deceased. The Rev. J. M. Whitlock, Jr., a resident of New Mexico all his life, was educated in Kentucky and took up the ministry as a profession, serving as missionary within the Presbyterian Church in New Mexico for about thirty-five years. Josefita, the daughter, married John Robinson, later sheriff of Mora County. Shortly after Dr. Whitlock was killed, Mrs. Whitlock was remarried to Mr. James W. Holman who was associated in business with Dr. Whitlock at the time of the latter’s death. Mrs. Whitlock died at Agua Negra in 1891.

The killing of Dr. Whitlock was the result of a dispute between him and the captain of a company of Regulars while taking about five thousand Navajo Indians from Fort Defiance to Fort Sumner, New Mexico, in 1868. It seems that on a certain occasion the captain came into camp with a Navajo baby impaled on the bayonet of his rifle and playing with the body of the child as though it were an animal. Doctor Whitlock saw him and called his attention to what he called an outrage and that no gentleman, especially a soldier of the United States, should be guilty of such conduct, at the

same time perhaps calling the captain a harsher name than we wish to repeat. Whereupon the captain said, "If you don't take that back you will have to fight a duel with me." To which Whitlock replied, "Alright, go and get your pistol and we will shoot it out. I will not swallow my words or apologize to you." In a short while the captain appeared at the doctor's tent and called him out. Whitlock, pistol in hand, came out and both, without further ado, fired almost simultaneously. The captain fell, apparently shot through the heart. Whitlock went back into his tent.

In the meantime, the alarm was given to the captain's company. A lieutenant, whose name I do not now recall, mobilized the company and announced that their captain had been shot to death by Doctor Whitlock. Immediately, without any investigation, the lieutenant headed his company towards the doctor's tent and without any trial ordered his soldiers to fire then and there, shooting the doctor to pieces. He is buried right where he fell, as it was impossible to move the body. No investigation of this cruel murder was made by the War Department and no one was ever punished for the awful deed.

The Reverend John M. Whitlock, at the time of his father's death, was a lad of about fifteen or sixteen years of age going to school in Kentucky. Doctor Whitlock was a descendant of the well-known families, the Pendeltons, Marmadukes, Whitlocks and Morgans of Virginia and Kentucky.

At the time of the herein mentioned tragedy, the government had celebrated a treaty with the Navajo Indians to be found around the western part of New Mexico and eastern Arizona. The reason given for their removal to Fort Sumner, where they were held for only a short time, was that they were making forays on the people of New Mexico and had almost ruined the stock industry which was small in those days. Furthermore, a quasi guerrilla warfare had been going on for several years between the Navajo Indians and the native people of northern New Mexico. Provoked by the Indians making raids on the villages in western

and northern New Mexico, campaigns were started by some daring spirits in New Mexico against the Indians, these taking young Indians as captives and selling them to well-to-do families in New Mexico. This, the government ordered to be stopped, and in or about 1870 or 1872-4, a great many Indians were ordered returned to their families in the Navajo Country. Those that had been reared from childhood and couldn't be identified by their Indian relatives remained with their Spanish-American parents. They are to be found in New Mexico to this day. At this time, 1868-69, the Navajo Indians were entirely destitute of property except for a few horses. No sheep were to be found. They were living on grass seed which they ground and made into gruel.

This article is written by one of John Marmaduke Whitlock's grand-daughters, Mrs. B. C. Hernandez of Albuquerque, New Mexico.

BOOK REVIEWS

A Bibliography of the Navaho Indians. By Clyde Kluckhohn and Katherine Spencer. (J. J. Augustin, N. Y., 1940; 93 pp. \$1.50.)

A Bibliography of the Navaho by Clyde Kluckhohn and Katherine Spencer represents one of the most complete, conveniently useable, and indispensable reference works that has yet appeared for the Southwestern area. Its arrangement includes a much broader scope of interests than is usually encountered in works of this type. It is an inestimable boon to anthropologists, historians, sociologists, geologists, biologists, Indian administrators, librarians, and those interested in Southwestern literature.

The contents are arranged in six chapters, each with appropriate subdivisions. The first section includes bibliographies, reference works, catalogues and collections of documents pertaining to the Navaho. The next division is historical, and here, primary and secondary sources are segregated and placed in chronological order. Chapter three deals with environmental references. Sub-headings include items according to geological and biological interests. The fourth section includes references on anthropological subjects. The main sub-divisions here are archaeology and origins, physical anthropology, linguistics, and ethnology. In turn these major sub-divisions are broken down into as many categories as are justified by the literature existing. Chapter five contains references to Navaho relations with the whites. As in the case of anthropological works the primary headings of general and government documents have been sub-divided into more refined categories. The final chapter encompasses popular works on the Navaho. The principle sections under this heading are non-fiction, fiction, plays, poetry, songs, and juvenile works.

The above outline only partially indicates the efficiency of the bibliography. Other salient points include the cross

referencing and an author's index. Citations to reviews occur in conjunction with publication references. Excellent editorial comment on content and accurate and critical appraisals of the value of major sources add greatly to the utility and serve to guide the lay as well as the research reader. Scientific investigation is enriched by the inclusion of references to manuscript materials available in various institutions. The above invaluable features lift this effort far above the routine bibliography and class it as a distinct research contribution. Present and future investigators in the Southwest are under deep obligation to both Kluckhohn and Spencer.

W. W. HILL.

University of New Mexico.

Diego de Vargas and the Reconquest of New Mexico, 1692-1704. By Jessie B. Bailey, Ph.D. (Albuquerque, University of New Mexico Press, 1940. 290 pp., bibliog., index.)

It is a very unhappy task to review a book which falls below reasonable expectations, and we wish sincerely that the request that we review this book by Dr. Bailey had been made before, rather than after, publication.

As to press work, we notice incorrect line spacing on pages 34, 200, 201, 223; and on page 222 two missing lines are found at the top of the next page. Errors in proof reading have been noted on pages 12, 43, 51, 69, 71, 75, 86, 130, 131, 132, 139, 157, 171, 173, 203, 207, 217, 257, 269, 270.

But much more serious is the fact that the book seems to be replete with mistranslations and misinterpretations of the sources used, secondary as well as primary. The work was a doctoral dissertation at the University of Southern California, and Dr. Bailey expresses appreciation and gratitude to her faculty advisers for guidance given her throughout her project, yet one is forced to conclude that actually she was left almost wholly to work out her own salvation, that her preparation in the use of source material was definitely inadequate, and that she is quite unacquainted with the local

geographical data which are so essential to a study of this kind. All of this becomes apparent when one checks Dr. Bailey's text against the sources which she cites. A few of these will be indicated.

The Spanish fugitives of 1680 reached La Salineta on September 29, not the 13th (p. 3); and the "monastery of Guadalupe" and the place known as La Toma were not on opposite sides of the river. Nor in crossing the river had they "crossed into Nueva Vizcaya," (p. 4) although Dr. Bailey was here relying on Dr. Hackett's earlier study. The Paso del Norte district was then, and always had been, part of New Mexico. In note 6 (p. 7) both Twitchell and Anne Hughes are misquoted, and on page 26 a citation from Hackett (note 38) is badly garbled. Even worse is note 28 on page 262.

Beginning at page 10 we find a number of references to a document which the author seems to regard as a primary source, whereas its provenance (Mexico, A. G. N., Historia 2) at once identifies it as one of the Spanish transcripts in the Figueroa collection of 1792. A little examination shows that the transcript has serious defects, and even the original (written probably in 1717) was a decidedly secondary source, based in part on the Vargas "Restauración" records. It was a chronological digest rather than a "report" and what Dr. Bailey regards as a title was merely a comment endorsed on the old manuscript, probably long after 1717.

Errors in translation are numerous, unfortunately, but we shall mention only a few. "De Senecú" (p. 27, last line) is not in the original; and the *aguaje* de Perillo (p. 28) was not a stream. Surprised to read of snow in New Mexico on a day in August (p. 30), we found that the record said that the day was *nublado* (clouded). At pages 32-33, the Mejía hacienda is definitely stated to be both "five leagues below Isleta" and "in the vicinity of the present city of Albuquerque," and thirdly that it is "now identified with the site of Albuquerque." Puzzled by what could be meant by "Panolis" (p. 90), the source gave us "en el Pueblo

despañoles del Real de San Lorenzo." The following translation of the proclamation is unintelligible, as is the statement (p. 112) that desperate Apaches might take Vargas a prisoner to Mexico; or (below) the idea that Vargas would affectionately present the people of Tesuque "with three dead cattle." And something is definitely wrong (pp. 116-7) in the taking of five loads of flour from the same pueblos to which they had been given three days before. To the Spaniards those natives who were unChristianized were "Gentiles," but this term has been translated "the tamed" (p. 204). The quotation on the next page has "Santa Ana" instead of Santa Clara and has missed the meaning of the original in other ways.

We should recognize that Dr. Bailey has not had the opportunity to become acquainted personally with any of the places of which she is writing in this study. It is not surprising, therefore, but it is very unfortunate that so often she has not understood her sources—and where the picture has not been clear to her, it will be even less so to her readers. This is most evident perhaps in the lack of definiteness as to the various places of refuge: the Cía Indians on the Cerro Colorado; the Jémez and Santo Domingo Indians on the high portrero north of the old Jémez pueblo; the Cochití refuge on another portrero eight miles back in the mountains from their old pueblo; and the Tewa refuge on the Black Mesa of San Ildefonso. The first two seem to be confused; La Cieneguilla de Cochití is mixed with the abandoned town on the Rio Santa Fé (e.g., p. 160); while there is nothing to suggest the long continued drama at the Black Mesa.

Dr. Bailey has shown a nicety in the observance of accents and other diacritical marks which is exceptional in work of this kind, and it is quite evident that she has put in a very creditable amount of labor upon her thesis. In spite of its numerous shortcomings, from which she might have been spared by a more effective supervision and by some acquaintance with the country in which Vargas campaigned, many readers will get from her pages a new conception of

the truly remarkable achievements of the Reconquistador whom she felicitously calls "the Napoleon of the Southwest."

L. B. B.

Pioneer Black Robes on the West Coast. By Peter Masten Dunne, S.J., Ph.D. (Berkeley, University of California Press, 1940. 286 pp., illustrated.)

The Society of Jesus in 1940 celebrated the four hundredth anniversary of its founding. To the Society is dedicated the second of a projected series of volumes setting forth the history of the Jesuits in western North America. The first volume was entitled *Educational Foundations of the Jesuits in Sixteenth Century New Spain* by Dr. Jerome V. Jacobson. The second volume, by Dr. Dunne of the University of San Francisco, covers the period from 1591 to 1632, contemporaneous with the early Franciscan missions in New Mexico. It was in the first mentioned year that the proto-martyr Gonzalo de Tapia began his missionary work on the Sinaloa river. In the words of Dr. Herbert E. Bolton: "Father Dunne has depicted an epic story of missionary adventure as it appeared to the actors and their contemporaries, and as interpreted by himself, a sympathetic twentieth-century confrere. It is a stirring drama of missionaries and soldiers (notably El Capitán Hurdaide) laboring harmoniously side by side in an effort to plant Christian civilization in heathen America. In these pages the author has brought forth from comparative obscurity a galaxy of notable pioneers, great figures in their time but neglected by modern historians. Tapia, Ribas, Méndez, Pascual and Martínez in New Spain, to mention only a few, deserve a place in North American history."

Father Dunne personally traveled over the rugged terrain that lies between the Sinaloa and Sonora rivers up to and beyond the high mountain divide to the east. This enhances the description of the land in which the Jesuits, according to their reports to the ecclesiastical authorities, baptized more than 150,000 Indians during these forty years.

In 1625, at least eighteen missionaries were serving the Indian pueblos of that region so far distant from centers of European civilization and culture. There is beauty in the story, there is interest, there is adventure. Father Dunne does not gloss over the improbability of some of the miraculous manifestations reported, the absurdity of the tales of witchcraft and supernatural phenomena, but which, considering the times, do not seem strange in the telling. He admits: "Christianity, in spite of Olinano's passing visit, had not sunk deep into the spirits of the Aibines, and their contacts with the Christian nations had not always been of a kind to make them eager for the gospel." There was much backsliding, for "the thin crust of their Christianity was broken through." Material selfishness, in numerous cases, prompted the zeal of those who came each day asking for baptism, "jealous to see their neighbors honored and enriched by the precious grace of the holy gospel."

Father Dunne's narrative is vivid. He commands a fascinating style which makes the volume read like a romance without departing in any way from the sources, both published and unpublished, which he had at his command. Incidentally, there may be found much of ethnological and geographical information in the volume. Statistical appendices, an essay on the sources consulted, translated and studied, annotations to the text of the twenty-one chapters, a bibliography of manuscripts, documents, treatises and secondary works, together with a detailed index, bear witness to the scholarliness and thoroughness of this excellent and graphic study of the missions on the West Coast.

P. A. F. W.

California. By John W. Caughey. (New York, Prentice-Hall, Inc., 1940. xiv+680 pp., numerous illustrations and maps, a "Commentary on Californiana," index.)

At last we have a one-volume history of California which is comprehensive and yet at the same time satisfyingly adequate for the general reader. It does not impress one as

a textbook, although it is doubtless a fruition of Dr. Caughey's university work and it would fit admirably to such use with its thirty-two chapters of about twenty pages each.

A little analysis shows that 117 pages are devoted to what may be called "background," since "California was discovered in the course of a broad investigation of New World geography which resulted in contemporaneous exploration of Florida and New Mexico." (p. 4.) This is nearly as much space as is given to Spanish and Mexican times in California, because actual occupation did not begin until 1769 and the year 1848 brought the transition to the United States. Indeed, the two chapters on "American Acquisition" and "Gold" bring the reader exactly to the middle of the book, since "practically the entire story of California's growth is crowded into the last ninety years." During the American period, as in her early history, "California development has been part and parcel of a larger movement," (p. 5) and it is interesting to note that California is regarded in this later movement both as "the leading representative of the West" and (apparently) as more important than the "other southwestern states." (pp. 4-5.)

Because of its calendared paper the book is somewhat heavy and bulky, yet as already indicated the chapters are short and their titles are intriguing. The Franciscan missions are the dominant theme of the chapters which deal with colonial times, although their titles do not so indicate; and among other titles which invite the reader to browse are: The Coming of the Traders, Mountain Men, Vigilantes and Filibusters, Land Titles, Stages and Steamers, Building the Pacific Railroad, The Boom of the Eighties, The Second Generation, The Contemporary Scene.

In our somewhat sketchy reading of the book there is only one matter of any importance in which we would question Dr. Caughey's interpretation of the records. He states (p. 5) that "it is a familiar fact that Spanish occupation [of California] came in direct response to reports of foreign activities farther north." This can refer only to the rumors

of Russian advance down the northwest coast, but the effect here credited to such a danger is not substantiated by the records—as Dr. Caughey himself shows later when he describes the occupying of upper California. (pp. 118-124.)

California is authoritative and delightfully written. One of its most attractive qualities is the author's correct use of Spanish terminology and his felicitous and discriminating use of English.

L. B. B.

NOTES AND COMMENT

The Index for Volumes I-XV—We ask the indulgence of those who have already subscribed for the Comprehensive Index of Volumes I-XV. Unexpected delay has developed which will prevent its appearance for several months. The preliminary work which was done last year needs much more editorial attention than was anticipated. However, progress has been made and as promptly as possible the copy will be turned over to the Press.

Our April Issue—It may result in an editorial headache, but in our next issue we should like to complete the studies of Dr. Scholes and Mr. Rely, and also offer the following: the first half of the Indian agent's diary, edited by Mrs. Anne Abel Henderson; a paper on the mountainman Antoine Leroux, by Grant Foreman; another on early forts of New Mexico, by A. B. Bender; and we have promised Dr. Carl Sauer space for another paper on Fray Marcos de Niza.

A "NEW" FRAY MARCOS DE NIZA MANUSCRIPT

Early in February, 1937, Dr. Carl P. Russell, supervisor of research and information of the National Park Service, Washington, D. C., called on me in Albuquerque and spoke of a "new" Fray Marcos de Niza manuscript which had come to his attention in the year previous on a visit to Vienna. The manuscript was the property of the State Archive of Vienna and had been loaned to the Museum für Völkerkunde of which Dr. Dominik Josef Wölfel was then curator. During Dr. Russell's visit to Vienna, he and Dr. Wölfel planned an English translation for publication in the United States. Unfortunately, this plan failed and all subsequent efforts to procure a photostatic copy of the original were of no avail.

The intriguing thought that the Fray Marcos de Niza manuscript in Vienna might be a hitherto unknown document led me to solicit the aid of the Coronado Cuarto Centennial Commission through its managing director, Mr. Clinton P. Anderson. Through the good offices of Senator Carl A. Hatch he sought the aid of the State Department in Washington in 1939, and eventually the desired photostatic copy was obtained through these channels.

Instead of being new, the document in question proved to be merely an incomplete copy of the Fray Marcos de Niza "Relación" which has been known for many years and which is the basic source of information for Fray Marcos' expedition in 1539. The document consists of 37 pages, approximately 5½ by 8 inches, written in a large and clear hand. The manuscript is signed, but the signature is not that of Fray Marcos de Niza. The document bears no certification such as that contained in the original manuscript which is preserved in the Archives of the Indies in Seville. Moreover, the Vienna document ends with the word "mandado, etc.," thus omitting approximately two lines of the complete "Relación," in addition to omitting the legalization which the original contains.

GEORGE P. HAMMOND.

NECROLOGY

MRS. HENRY WOODRUFF

Sarah Frazer Woodruff, one of Santa Fé's beloved pioneer women, was laid to rest December 19, in Fairview cemetery, at the side of her husband, who died ten years ago. Mrs. Woodruff was eighty-five years old. She attended college in Missouri and moved to Fort Garland, Colorado, to teach school. There she met Henry Woodruff, the scion of a distinguished Farmington, Conn., pioneer family, which had moved to Dixon, Ill., in 1858. There he had incurred the illness which sent him to Colorado, after physicians had pronounced his case hopeless. But he recuperated at Pueblo, Leadville, and then at Fort Garland, where his marriage took place on December 21, 1882. In the early eighties, the couple journeyed to Elizabethtown and thence to Springer, where Mr. Woodruff engaged in the cattle business. From there, Mr. and Mrs. Woodruff set out in a specially built spring wagon on a five hundred miles tour to find a new home. When they reached Santa Fé, they were so pleased with the beauties of the city that they decided to make it their home. Mrs. Woodruff wrote to her mother: "We have reached the promised land of flowers and fruits and here we will stay."

This was in 1888. Two years later, the late Governor L. Bradford Prince, president of the New Mexico Historical Society, offered Mrs. Woodruff the place of curator of the Society's museum in the Palace of the Governors at Santa Fé. Mrs. Woodruff pleaded that her husband should be named instead, as it would help him to get well, and promised to serve with him. This was done, and for forty years, the devoted couple greeted the thousands of visitors, many of them persons of distinction, never taking a vacation, always on duty, under succeeding presidents of the Society, the late General Frank W. Clancy, the late Col. Ralph E. Twitchell and the present incumbent. They saw the price-

less collections of the Society augmented, its Library increased, and the number of visitors growing to 30,000 and more annually.

Mrs. Woodruff interested herself intently in civic activities for the upbuilding of Santa Fé. She was one of the early members of the Women's Board of Trade, which founded the city's public library, which looked after the Plaza for many years, which took over Fairview Cemetery and made it the most beautiful God's Acre in New Mexico and where she and her husband now have their last resting place. Mrs. Woodruff was an active member of Stephen Watts Kearny chapter of the Daughters of the American Revolution, was active in both the Methodist and Presbyterian women's organizations and during the last war was president of the local chapter of the American Red Cross, furthering its extensive activities.

After forty years of service, Mr. and Mrs. Woodruff had decided to retire from active duty and had set July 1, 1930, as the date. However, Mr. Woodruff died on May 4, 1930, and his remains were placed in Fairview. Mrs. Woodruff continued at the post in the Palace of the Governors through June and then moved to Elk City, Oklahoma, to live with her nephew and niece, Mr. and Mrs. Paul L. Peeler. Mr. Peeler accompanied the remains to Santa Fé.

At the funeral the Rev. Kenneth Keller paid tribute to the many fine qualities of Mrs. Woodruff and her services to the community. Mrs. Reed Holloman, Mr. Nierhaus, C. L. Bowlds and Mrs. Robert E. Smith, sang appropriate selections. Among those who attended were many of the old timers who had known Mrs. Woodruff in the early days. The pall bearers were: Reed Holloman, Paul A. F. Walter, Guy Harrington, Charles Kaune, David Ferguson and Edward Cartwright.—P.A.F.W.

ARTHUR LEON SELIGMAN

New Mexico mourned one of its best known and most respected business men in the passing of James Leon Seligman at St. Vincent's sanitarium in Santa Fé, on Sunday,

December 14. For the past forty-six years, as a resident of Santa Fé, he always was ready and willing to answer any call for service in civic and charitable causes.

Born in Philadelphia on August 11, 1868, he was the son of a Santa Fé pioneer merchant family, Bernard and Frances Nusbaum Seligman. Reared in the east, he attended Swarthmore College and was licensed as civil engineer, a profession he followed when he moved to Salt Lake City in 1887. As early as 1871, he accompanied his parents to Santa Fé and visited repeatedly before returning to make the city his permanent residence in 1894. In Salt Lake City, Mr. Seligman was for five years an attache of the surveyor general of Utah and also engaged in mining engineering. It was in Salt Lake City he met Miss Ruth Van Bentheusen Stevenson, a daughter of Charles Langlois and Mary Rosa (Tinslar) Stevenson, who became his wife on October 24, 1893. Upon his return to Santa Fé, he entered in partnership with his brother, the late Arthur Seligman, twice elected governor of New Mexico, the firm name being Seligman Brothers Company. He was for a time on the staff of Highway Engineer French. Upon being appointed postmaster of Santa Fé by President Woodrow Wilson in 1914, he retired from the firm. He was reappointed and served out his second term. In his latter years he established the Old Santa Fé Trading Post on Cathedral Place which was famed far and wide for the quality of the antiques, handicrafts and curios it sold. He was also interested in other business establishments and real estate holdings.

Mr. Seligman was a 32d degree Scottish Rite Mason. He took an active interest in the New Mexico Historical and Archaeological Societies, served as a member of the Board of Regents of the Museum of New Mexico and was on the board of managers of the School of American Research. He took great interest in the arts, including the theater. He was the treasurer of the Indian Arts Fund and business manager of the Drama League, later the Santa Fé Players. A lover of music, he played the violin in local orchestras which were

organized from time to time mainly through his efforts. Mr. Seligman was for a number of years active in the New Mexico National Guard, serving as regimental commissary of the first regiment and United States disbursing officer for the state. For several years a member of the Santa Fé city school board, he gave much attention to educational matters.

Mr. and Mrs. Seligman were parents of two children, Beatrice Grace, who died in 1920, and Morton Tinslar, commandant of the North Island air station of the United States navy, San Diego, Calif.

Funeral services were held on Wednesday, December 18, in the Scottish Rite Cathedral at Santa Fé with the solemn ritual of Rose Croix. Prayer at the grave in Fairview Cemetery was by the Rev. C. J. Kinsolving, rector of the Church of the Holy Faith.—P.A.F.W.

MARTIN GARDESKY

Martin Gardesky, beloved Santa Fé pharmacist and bank director, one of the most colorful figures in the mercantile and social life of the Southwest, lost his four months' battle for health when death came to him December 14, at the Passevant hospital, Chicago. He was 51 years of age.

At his bedside were his wife, the former Miss Florence Spitz, and her sister, Miss May Spitz, of Santa Fé, who had gone to Chicago four months ago when Mr. Gardesky underwent a surgical operation.

Of Russian ancestry, Mr. Gardesky was born in Kansas City, Mo., in December 1889. It is there he attended the public schools and served his apprenticeship as a druggist. His youth was not an easy one and even in his school days he found employment in various occupations with many long hours of toil. He would look back, in later years, upon those early experiences with pride and even gratitude. A great reader and traveler, he became deeply interested in the history, archaeology and ethnology of the Americas. He visited and studied the ancient Maya sites in Guatemala, the Inca ruins in Peru and Bolivia and made trips into Mexico, not

only along the well-traveled highways but also over the trails to out-of-the-way places in Chihuahua and Sonora. He would return from each journey with rare documents, native artifacts and biological specimens.

Mr. Gardesky's civic and social interests were many. He was an active member of Santa Fé's volunteer firemen and fearlessly exposed himself to danger, cold and wet at many a local blaze. He had advanced to the 32nd degree in Masonry and was prominent as a member of the Santa Fé Lodge of Elks as well as the B'nai B'rith. He was fond of gardening and experimenting with rare flowers. Never failing in his courtesies he would respond at all hours of the night to calls for medicine or surgical supplies from the Capital Pharmacy in Santa Fé of which he was the principal owner. His charities were many but unostentatious and his friendships were countless, extending far and wide and even into foreign countries. He served as a member of the Board of Regents of the New Mexico School for the Deaf and was a member of the New Mexico Historical Society.

Mr. Gardesky is survived by his wife, Florence Spitz, daughter of Santa Fé's pioneer jeweler, the late Solomon Spitz. A brother-in-law, Bernard Spitz, a sister-in-law, Miss May Spitz, and a brother, Louis Gardesky of Santa Fé, are near relatives who mourn his death.

Funeral services were those of the Hebrew faith and were held in Santa Fé Scottish Rite Cathedral, which was crowded with mourners. Burial was in Fairview Cemetery.—P.A.F.W.

PABLO ABEITA

Pablo Abeita, the "grand old man" of Isleta Pueblo, whose views and thoughts for years influenced the destinies of the Indian village thirteen miles south of Albuquerque, died unexpectedly of a heart attack at his home on the evening of December 17.

He was 70 years of age, having been born in Isleta February 10, 1870.

Abeita was postmaster at Isleta, a position he held for many years, and conducted a merchandise store.

A member of the influential Abeita family, Pablo was one of the village's most prominent and famed residents. He was a familiar figure on the streets of Albuquerque, with his broad-brimmed hat topping his long hair that fell below his shoulders, his lace-yoked, red-trimmed shirt, and the blanket that clung to his shoulders as by a miracle.

Genial and friendly, Pablo did not hesitate to take issue when matters affecting the welfare of the Indians were under discussion. He wrote letters to the press when occasion arose to correct what he termed misstatements of Indian history, or to criticize the policies of the Indian Bureau or the white men in general. His criticisms were smooth rather than sharply barbed, and carried a quaint sarcasm.

He devoted his life to farming and operation of a merchandise store, and to the politics of the Isleta village and the Pueblo Council that includes all Rio Grande Pueblos. He was governor of Isleta on one or more occasions, was a war captain and also member of the cattle commission. He was honored years ago with appointment to the Court of Indian Offenses, a tribunal of three judges that handled Indian judicial matters. The court since has been abolished.

Abeita is survived by his wife and five grown sons, Remijo, who is with the Indian Service in Washington state; Ambrosio (Buster), San Carlos, Ariz., also with the Indian Service; Joe, John R. and Andy of Isleta.

The funeral services, conducted according to ancient tribal ritual by the elderly head men of the pueblo, as befits a man who long had served as a member of the Isleta Pueblo Council, will be colorful. Pablo will be wrapped in the bright blanket which he long ago chose as his burial robe and will be carried through the winding streets to the burial ground on a hill south of the village, where sleep his ancestors of many generations.

The head men will be garbed in colorful ceremonial robes, and will chant the ritualistic prayers for the dead.

Villagers and neighbors will follow, in more somber garb. At the graveside, ceremonies will be conducted, the body will be lowered, covered with earth. Then water will be poured on the grave, in accordance with a custom so old that its origin is unknown.

There will be also a brief Catholic ceremony. Pablo received his entire education under guidance of the church. The Jesuit fathers and Sisters of Charity were in charge of the Old Albuquerque schools where he learned his A. B. C.'s. The Christian Brothers who conduct St. Michael's College, Santa Fe, where he took his grammar and high school work, awarded him the honorary degrees of master of ancient history and doctor of philosophy.

Abeita was a life-long student and a voracious reader, which made him one of the best educated Indians in the state. He was equally facile in the English, Spanish and Pueblo tongues.

Abeita claimed that he was the only living Indian who had met all the presidents of the United States, from Cleveland in 1886 to Roosevelt in 1936. He had made many trips to Washington in an official capacity, and knew personally many of the members of congress.—*Albuquerque Morning Journal*, 12/18/40.

ARTHUR STEVENSON WHITE

Dr. Arthur Stevenson White, professor of government and head of the department of government and citizenship at the University of New Mexico, died December 28, 1940, from a cerebral hemorrhage which occurred on Christmas day. He never regained consciousness after the stroke.

"Doc" White, as he was affectionately known to the thousands of his former students, was born in Grove City, Pennsylvania, June 14, 1880. He received his Ph.B. degree from Grove City College in 1903. In 1909 he took his LL.B., in 1915 his M.A., and in 1921 the degree of Doctor of Jurisprudence, all at the University of Michigan. His major field of study was law and government.

He began his college teaching career in Muskingum College in Ohio and left this school in 1922 to become professor of political science at Marshall College in Huntington, West Virginia. In 1930, he became an associate professor of political science at the University of New Mexico, and in 1934 when the department of government and citizenship was created at the University, he was advanced to a professorship and made head of the new department.

At periods in his life Dr. White had taught in high schools, practiced law, and during 1917 and 1918, the war years, he was educational secretary and lecturer for the Army YMCA. At the time of his death, in addition to his University work, he was serving as supervisor of the merit system of the federal aid departments in New Mexico.

Surviving Dr. White are his wife and two daughters, Helen, a student at Albuquerque High School, and Mrs. Earl Caldwell, of Belen, New Mexico.

It was my rare good fortune to have known Dr. White for seventeen years. As an indifferent freshman student I stumbled by chance into one of his introductory courses in government at Marshall College in the autumn of 1923. I went into that course for no other reason except that it was a part of the general liberal arts course of the college. I came from that class with an interest in the problems of government that has been enduring.

Dr. White's outstanding characteristic as a teacher was his ability to stimulate the interests of his students. He was no mere organizer and reciter of facts, but a vibrant, compelling teacher whose enthusiasm was infectious. While always generous in his kindly praise of alert students, the loafers often felt the sting of his biting sarcasm. Though never aspiring to personal popularity, Doc was always a favorite teacher in every school in which he taught. Students warmed to his enthusiasm and his sly, good humor and grew under his stimulation. Even the laggards, in late years, admitted the justice of his "bawlings-out."

No professor was more interested in students and their

welfare than he. While other professors added to their bibliographies with research and writing, he devoted many of the hours of his spare time to conferences with students, talking over with them their personal problems, helping them to find themselves.

His impress upon his students was strong and lasting. Many of them, now in all walks of life, remember him as the finest teacher of their college careers. Dr. Wallace Sayre, now Civil Service Commissioner of New York City, has only recently written me: "Of all my teachers, Doc White was the best." There are many, many others who feel the same.

Doc White's controlling idea was his belief in the importance of applying intelligence and humanity to the solution of social problems. Second only to this was his instinctive sympathy for the underdog. The many fine young men and women he influenced to more social-minded thinking constitute his most enduring monument. In them and in those they influence he will continue to live.

THOMAS C. DONNELLY

The Historical Society of New Mexico
(INCORPORATED)

Organized December 26, 1859

PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.
1861 — MAJ. JAMES L. DONALDSON, U. S. A.
1863 — HON. KIRBY BENEDICT
adjourned sine die, Sept. 23, 1863
-
- re-established Dec. 27, 1880*
- 1881 — HON. WILLIAM G. RITCH
1883 — HON. L. BRADFORD PRINCE
1923 — HON. FRANK W. CLANCY
1925 — COL. RALPH E. TWITCHELL
1926 — PAUL A. F. WALTER

OFFICERS FOR 1940-1941

- PAUL A. F. WALTER, *President*
JAMES F. HINKLE, *Vice-President*
MIGUEL A. OTERO, II, *Vice-President*
LANSING B. BLOOM, *Cor. Sec'y-Treas.*
MISS HESTER JONES, *Recording Secretary*

FELLOWS

- | | |
|---------------------|----------------------------|
| PERCY M. BALDWIN | EDGAR L. HEWETT |
| RALPH P. BIEBER | FREDERICK W. HODGE |
| WILLIAM C. BINKLEY | ALFRED V. KIDDER |
| LANSING B. BLOOM | J. LLOYD MECHAM |
| HERBERT E. BOLTON | THEODOSIUS MEYER, O. F. M. |
| AURELIO M. ESPINOSA | FRANCE V. SCHOLLES |
| CHARLES W. HACKETT | ALFRED B. THOMAS |
| GEORGE P. HAMMOND | PAUL A. F. WALTER |

CONSTITUTION

OF THE

HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

APRIL, 1941

No. 2



PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY
THE HISTORICAL SOCIETY OF NEW MEXICO
AND
THE UNIVERSITY OF NEW MEXICO

NEW MEXICO HISTORICAL REVIEW

Editor
LANSING B. BLOOM

Managing Editor
PAUL A. F. WALTER

Associates

PERCY M. BALDWIN
FRANK T. CHEETHAM

GEORGE P. HAMMOND
THEODOSIUS MEYER, O. F. M.

VOL. XVI

APRIL, 1941

No. 2

CONTENTS

Map of Military Posts in Southwest, 1848-1860

Military Posts in the Southwest, 1848-1860

A. B. Bender 125

Franciscan Missions of New Mexico, 1740-1760

(Conclusion) Henry W. Kelly 148

Troublous Times in New Mexico, 1659-1670

(Continued) France V. Scholes 184

Indian Affairs in New Mexico Under the Administration of William Carr Lane. From the Journal of

John Ward. Edited by Annie Heloise Abel, Ph.D. 206

The Credibility of the Fray Marcos Account

Carl O. Sauer 233

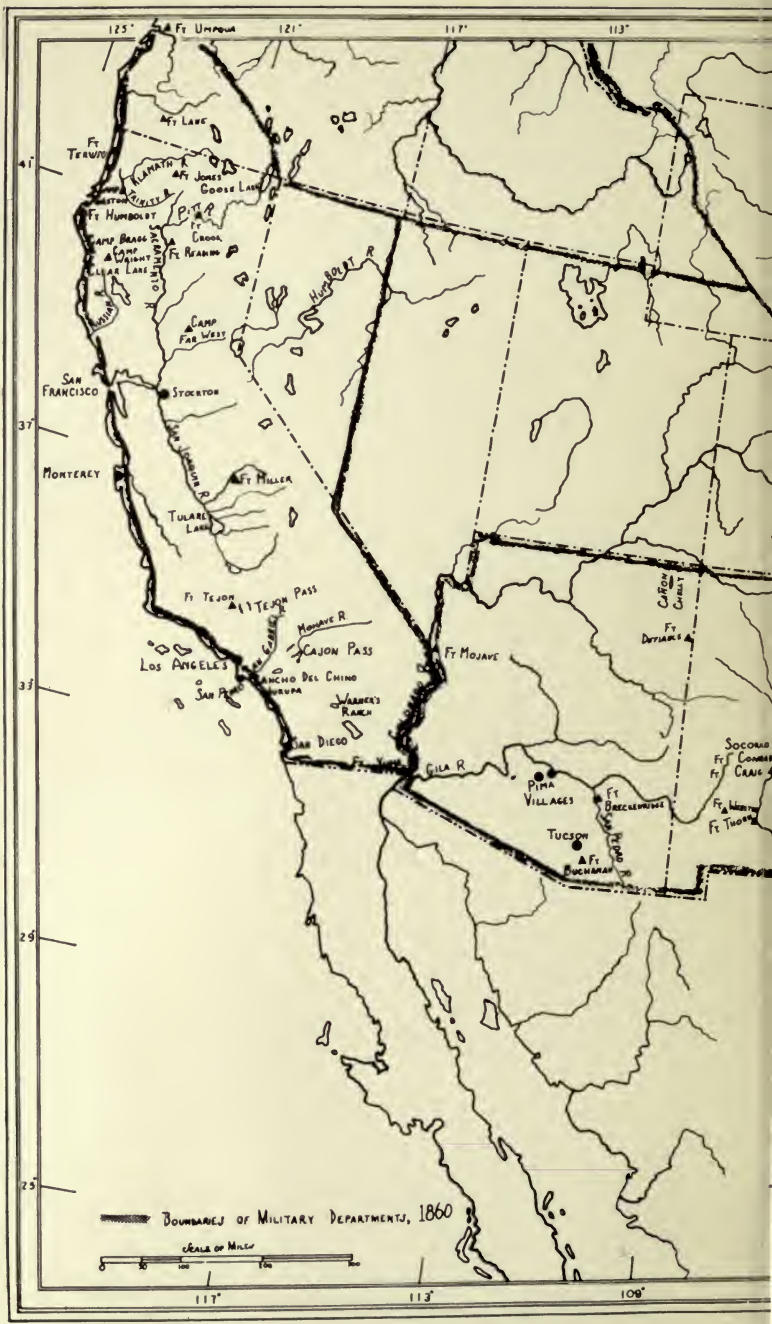
Editorial Section: Was Fray Marcos a Liar? L. B. B. 244

Necrology. Henry Bert Jones P. A. F. W. 247

Subscription to the quarterly is \$3.00 a year in advance; single numbers (except Vol. I, 1-4, and II, 1) may be had at \$1.00 each.

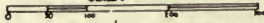
Volumes III-XIV can be supplied at \$4.00 each; Vols. I-II are out of print in part.

Address business communications to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Mr. Bloom at the University of New Mexico, Albuquerque, New Mexico.



BOUNDARIES OF MILITARY DEPARTMENTS, 1860

SCALE OF MILES



125° 121° 117° 113°

41°

37°

33°

29°

25°

117° 113° 109°

San Francisco
Monterey
Los Angeles
San Diego
Tucson

Ft. Tejon
Ft. Mojave
Ft. Buchanan
Ft. Greaser
Ft. Humboldt
Ft. Jones
Ft. Crook
Ft. Kearney
Ft. Miller
Ft. Davis
Ft. Commanche
Ft. Thomas

Sacramento R.
San Joaquin R.
Colorado R.
Mojave R.
Gila R.

Cajon Pass
Tejon Pass

Warner's Ranch
Rancho Del Chino
Pima Villages

Camp Bragg
Camp Far West
Tulare Lake
Goose Lake
Cedar Lake
Llanos
Canyon Chelly



NEW MEXICO HISTORICAL REVIEW

VOL. XVI

APRIL, 1941

No. 2

MILITARY POSTS IN THE SOUTHWEST, 1848-1860

By A. B. BENDER

FROM THE beginning of our history to the late nineteenth century, frontier defense formed a chief concern of our government. In dealing with this problem prior to the Mexican War, various methods were tried. Land was purchased from the red man, an "Indian country" was created, annuities and gifts were furnished the Indian, and a chain of forts was established along the edges of the frontier settlements or in the heart of the Indian country. When the war extended our domain to the Pacific and the California gold discovery attracted new emigrant waves to the Far West, the problem of frontier defense became more pressing. The virgin lands of the Far Southwest, which in earlier years had an interest only for traders, trappers, and merchants, now beckoned miners, speculators, adventurous land-hunters, and home seekers from the more populated districts of the East. When the Indian resented the new encroachments of the white man and attempted to stop the rising tide of immigration, the United States army came to the defense of the white man. To furnish protection to emigrant trains, to protect the Overland Mail and the newly-born settlements, as well as to defend the peaceful tribes from unscrupulous white men, the government again made use of its most widely applied method: it erected a chain of military stations. From the western outposts along the Mississippi River, a cordon of forts, by degrees, extended westward along the

Arkansas River to the Rio Grande, the Gila, the Great Colorado, and the Pacific Ocean. It is the purpose of this paper to examine the character and effectiveness of this policy in the Southwest¹ between the Mexican and Civil Wars.

Prior to the Mexican War only fifty-six forts guarded the entire United States.² It soon became apparent, however, that the extreme western outposts, which formed an irregular line west of the Mississippi River, extending from the Gulf of Mexico to the Canadian border,³ would have to be strengthened. Since the war called for the presence of troops in the Indian country and since civil and military officers emphasized the urgent need for a new line of defense, such recommendations did not go long unheeded.⁴

While troops were moving westward, new posts began to appear. Fort Mann, situated on the north bank of the Arkansas River, about five miles west of the present Dodge City, Kansas, was built in 1847.⁵ Three military positions were constructed on the lower Rio Grande: Fort Polk, situated at Point Isabel and Fort Brown, opposite Matamoros, were established in the spring of 1846; in the fall of 1848 troops occupied Ringgold Barracks, about one-half mile below Rio Grande City.⁶ Fort Marcy, named in honor of the Secretary of War and situated some 600 yards from the

1. The discussion of the Southwest in this paper will be confined largely to Texas, the territory of New Mexico, and California.

2. *Sen. Docs.*, 29 Cong., 1 Sess., No. 1, pp. 220C-20g.

3. Beginning with Fort Jesup in Louisiana, the chain included Forts Towson, Washita, and Gibson in Oklahoma, Fort Smith in Arkansas, Forts Scott and Leavenworth in Kansas, Forts Des Moines and Atkinson in Iowa, Fort Snelling in Minnesota, and Fort Wilkins on Lake Superior. It should be noted, of course, that prior to the Mexican War some of these outposts were not located in the present day states but rather in unorganized Indian country or in territories. *Ibid.*, p. 220d; *Sen. Ex. Docs.*, 31 Cong., 2 Sess., No. 1, pt. 2, p. 121.

4. James S. Calhoun, *Official Correspondence of . . .* (Annie H. Abel, ed., Washington, 1915), p. 8.

5. Fort Mann, although not a military post, rendered important service as a depot "to repair wagons and recruit animals" for military and wagon trains en route between Fort Leavenworth and Santa Fé. Built by Daniel P. Mann and a corps of teamsters, the depot was discontinued in 1850 upon the establishment of new Fort Atkinson, on the Arkansas. Lewis H. Garrard, *Wah-To-Yah and the Taos Trail* (Ralph P. Bieber, ed., Glendale, Cal., 1938), pp. 331-38.

6. J. L. Rock and W. I. Smith, *Southern and Western Texas Guide, 1878* (St. Louis, 1878), p. 34; *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, pt. 1, pp. 280-84.

heart of Santa Fé, was begun by General Kearny in August, 1846, and completed in the following year.⁷ In California military inspections were ordered and several positions were strengthened. The presidio of San Francisco was put in repair, guns were mounted at San Pedro and Los Angeles, and a redoubt was built on a hill over-looking Monterey and mounted with 24-pounders and 8-inch mortars.⁸

At the end of the Mexican War the defense program in the Far West naturally received greater attention. In December, 1848, orders issued from the Adjutant General's office directed officers of the Corps of Engineers and Topographical Engineers to make a careful examination of Texas, New Mexico, Oregon, and California, for the purpose of locating permanent military stations within those areas.⁹ The system of defense, however, was not developed according to any definite or scientific plan; military officers were directed to establish forts when and where the need was greatest. Not infrequently, special interests greatly influenced the selection and maintenance of such positions. Merchants, unlicensed traders, speculators, and whiskey dealers played no small rôle in the defense policy in the Far Southwest.¹⁰

In Texas, or the Eighth Military Department,¹¹ where a frontier estimated at between 1,300 and 2,500 miles had to be protected against some 20,000 wild Indians¹²—principally

7. George R. Gibson, *Journal of a Soldier under Kearny and Doniphan, 1846-1847* (Ralph P. Bieber, ed., Glendale, California, 1935), p. 220; *New Orleans Daily Picayune*, November 6, 12, 1846.

8. *H. Ex. Docs.*, 31 Cong., 1 Sess., No. 17, p. 337; Kimball Hale Dimmick, *Diary*, May 1, 7, 1848, MSS., (in California File, Huntington Library, San Marino, California).

9. *H. Ex. Docs.*, 30 Cong., 2 Sess., No. 1, p. 161.

10. See pages 13-16.

11. At the close of the Mexican War, for purposes of military administration, the United States was divided into three divisions—Eastern, Western, and Pacific—and eleven departments. Texas, the territory of New Mexico, and California were designated as the Eighth, Ninth, and Tenth Military Departments, respectively. Raphael P. Thian, *Notes Illustrating the Military Geography of the United States, 1813-1880* (Washington, 1881), pp. 8, 20, 25, 40-51.

12. *H. Docs.*, 29 Cong., 2 Sess., No. 75, pp. 7-8; *Sen. Ex. Docs.*, 31 Cong., 1 Sess., No. 1, p. 963; Ford to Runnels, June 2, 1858, MSS., (In Governors' Letters, Texas State Library, hereafter cited as Governors' Letters).

Comanche, Kiowa, and Apache—the government evolved a system of an inner and outer chain of defense. The former, established in 1848 and 1849 in advance of the frontier, began above San Antonio and ran parallel with the settlements in a northeasterly direction to the Red River. As the emigrants moved westward, the outer chain was created as far as the Rio Grande. An intermediate group of defenses connected the inner and outer lines. Posts were also established to the south and in the “Big Bend” sector.

The original inner chain, erected as a protection for the settlements between the Guadalupe and the Trinity rivers, consisted of Forts Mason, Croghan, Gates,¹³ Graham, and Worth. Of this line, Fort Graham, established early in February, 1849, and situated in Hill County, was the best planned.¹⁴ Fort Worth, more typical of the western outposts, was built in the same year at the mouth of the Clear Fork of the Trinity.¹⁵ These military positions, however, failed to impress the Indians. Within the next five years many Texas tribes harried the region along the inner line of defense. The Apache robbed and killed emigrant parties; the Comanche paid flying visits to the Arkansas country; the Waco conducted raids from the Wichita Mountains to the southern border;¹⁶ the Kiowa were even bold enough to mur-

13. Fort Mason, on the Llano River about 110 miles north of San Antonio, was established in 1851 and occupied irregularly by troops until March, 1861, when it was abandoned. Fort Croghan in Burnet County and Gates in Coryell County were built in 1849. *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, pt. 1, pp. 270-74; *ibid.*, 34 Cong., 1 Sess., No. 96, pp. 370, 550, 583; *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*. (Washington, 1880-1892), ser. I, vol. I, p. 502, hereafter cited as *Official Records*.

14. *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, pt. 1, pp. 270-74; Whiting to Deas, January 21, 1850, MSS., (in Letters Received, Chief of Engineers, National Archives, hereafter cited as L. R., C. E.).

15. Situated in a region subject to overflows, the garrison frequently suffered from fevers. The post was abandoned in September, 1853. *Sen. Ex. Docs.*, 34 Cong., 1 Sess., No. 96, p. 373; John W. Forney, *What I Saw in Texas* (Philadelphia, 1872), p. 14.

16. St. Louis *Daily Missouri Republican*, March 19, 1851, October 7, 1853; Washington (Arkansas) *Telegraph*, February 5, 1851; Stem to Loomis, January 9, Stem to Lea, April 1, 1853, MSS., (In L. R., Indian Office, National Archives, hereafter cited as L. R., I. O.).

der Indian agent Jesse Stem within a few miles of Fort Belknap.¹⁷

Meanwhile, the government had decided upon a more vigorous policy. In 1851, Conrad, Secretary of War, ordered the movement of troops into Texas. A regiment of infantry was directed to march from Jefferson Barracks to the Indian country west of Arkansas, while the Fifth Infantry stationed in the latter country was to advance farther into the interior and establish a chain of forts across northern Texas from Red River to the Rio Grande in the Comanche country. A regiment of Mounted Riflemen was ordered from Oregon to Texas and remounted for active service. Two companies were also to proceed to Corpus Christi.¹⁸

In accordance with this policy seven new posts soon supplemented the inner line. To overawe the hostile tribes along the Red River, Colonel G. Loomis, in June, 1851, established Camp Belknap, later known as Fort Belknap, on the Red Fork of the Brazos River¹⁹ and in November of the same year troops from the former garrison built Fort Phantom Hill on the Clear Fork of the Brazos. To the southwest, three additional posts built in 1852—Forts Chadbourne, McKavett, and Clark—guarded the zone of Indian depredations. The last post, in particular, occupied a position of primary importance since it faced both the Rio Grande and the Indian

17. W. S. Nye, *Carbine and Lance* (Norman, Oklahoma, 1937), p. 15; Neighbors to Manypenny, March 1, April 12, 1854, MSS., (in L. R., I. O., Texas; (hereafter Texas, New Mexico, and California will be cited as Texas, N. Mex., and Cal.).

18. *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, pt. 1, p. 106; *Daily Missouri Republican*, April 29, May 14, June 13, 1851; General Orders, No. 19, April 1, 1851, MSS., General Order Book, XIII, (in National Archives, hereafter General Orders will be cited as G. O.).

19. Rister gives the date for establishment of Fort Belknap as September 3, 1850. However, according to post returns of Fort Belknap, a detachment of two companies (G. I.), Fifth Infantry arrived under Captain Carter L. Stevenson on June 3, 1851. Stevenson, in a letter of February 4, 1852, stated that the site was selected and marked out by General Belknap, June 24, 1851. The post was abandoned in 1867 because of an insufficient water supply. *Sen. Ex. Docs.*, 34 Cong., 1 Sess., No. 96, pp. 371-72; C. C. Rister, *The Southwestern Frontier, 1865-1881* (Cleveland, 1928), pp. 49, 52; Fort Belknap, Post Returns, June, 1851, April, 1860, MSS., (in Post Returns, National Archives, hereafter cited as Post Returns).

frontiers.²⁰ Camp Cooper, in Throckmorton County, was established in 1856 to protect the Reservation Indians stationed there, and in the same year Camp Colorado in present Coleman County was built.²¹ The northern line of defense ended at Preston on the Red River, where it left Texas and proceeded northward via Forts Washita,²² Arbuckle,²³ and Cobb.²⁴

Meanwhile, the Rio Grande—probably the largest and most exposed part of the Union²⁵—as well as the settlements along the gulf and the northern frontier, was kept in a constant state of alarm and excitement. “The whole lower country is swarming with Indians and is one continual scene of outrage and murder,” declared the *Houston Democratic Telegraph and Texas Register*.²⁶ To escape from the Indian danger, entire families moved to the Mexican side of the Rio Grande.²⁷ In defense of military escorts, bands of Indians, armed with guns, attacked army wagon trains and killed teamsters.²⁸ Of course, frontiersmen and special interests deluged Congress, the Secretary of War, and the President with petitions and memorials, pleading for greater protection.²⁹

20. John S. Billings, *Report on Barracks and Hospitals with Descriptions of Military Posts* (Washington, 1870), p. 203; *Sen. Ex. Docs.*, 36 Cong., 1 Sess., No. 52, pp. 185-86; Thomas H. S. Hamersly, *Complete Regular Army Register of the United States for 100 Years, 1779-1879, with a Military History of the Department of War* (Washington, 1880), pt. 2, pp. 125, 127.

21. At Camps Cooper and Colorado the troops experienced considerable difficulty in obtaining healthy drinking water, while at the latter post, liquor was peddled freely among the troops. *Sen. Ex. Docs.*, 36 Cong., 1 Sess., No. 52, pp. 185-88; Camp Colorado, Texas, Post Returns, 1856, 1861, MSS., (in Post Returns).

22. Fort Washita, Post Returns, June, 1834, April, 1861, MSS., (in *ibid.*).

23. For the history of this post, see Grant Foreman, *Advancing the Frontier* (Norman, Okla., 1933), pp. 250-54; Fort Arbuckle, Post Returns, 1834, 1850, 1870, MSS., (In Post Returns).

24. Rister, *op. cit.*, p. 65; Floyd to Scott, July 27, 1859, MSS., (in Letter Books, Secretary of War, National Archives, hereafter cited as L. B., S. W.).

25. *Austin Texas State Gazette*, February 7, 1857.

26. *Houston Democratic Telegraph and Texas Register*, August 7, 1850; *Daily Missouri Republican*, September 6, 1850.

27. *Daily Missouri Republican*, April 4, 1851.

28. *Houston Democratic Telegraph and Texas Register*, March 21, May 23, 1850; *Neighbors to Manypenny*, May 8, 1854, MSS., (in L. B., I. O., Tex.).

29. *Houston Mercantile Advertiser*, August 4, 1849; *H. Journal*, 32 Cong., 1 Sess., p. 400; Rusk to Conrad, February 28, 1852, MSS., (in L. B., S. W.); Johnston to Bee, February 14, 1857, MSS., (in Letters Sent, Tex., National Archives, hereafter cited as L. S., Tex.).

The War Department, in the meantime, had not been idle; it had established an outer chain of defense. Along the lower Rio Grande, Forts Polk, Brown, Ringgold Barracks,³⁰ McIntosh,³¹ and Duncan,³² served as key positions to the upper provinces of Mexico, acting not only as a bulwark against the wild tribes, but also as a salutary influence along the boundary line, especially in protecting the revenue laws.³³ Three forts supplemented the rear of this line,³⁴ while to the northward and eastward nine additional posts served as connecting links between the outer and inner chains. This subsidiary group of defenses, occupying a central position and garrisoned principally with cavalry, could easily dispatch mounted troops to any threatened point—eastward toward the settlements or westward toward the Rio Grande.³⁵ Among these defenses, Fort Martin Scott established in 1848, Fort Lancaster in 1855, and Camp Wood in 1857 occupied strategic positions, since they commanded numerous Indian trails leading into southern Texas and across the Rio Grande into Mexico.³⁶ The "Big Bend" sector, favorite resort for

30. For Forts Polk, Brown, and Ringgold Barracks, see page 2 of this article.

31. Fort McIntosh, about three quarters of a mile above Laredo, was built in 1850, although Lieutenant Egbert L. Vielé entered Laredo with a company of troops in March of the previous year. Originally known as Camp Crawford, the post was abandoned in 1858 and the troops removed to Fort Brown; it was again reoccupied in December, 1860. Billings, *op. cit.*, p. 215.

32. Fort Duncan, situated at Eagle Pass, was considered one of the most commanding positions on the frontier. Although occupied in 1849 by two companies of infantry under Captain John B. Scott, buildings were not erected until the following year. Abandoned in 1861, it was again reoccupied in 1868. *Sen. Ex. Docs.*, 31 Cong., 1 Sess., No. 1, pt. 1, p. 152; Billings, *op. cit.*, p. 217, Frederick Law Olmsted, *A Journey Through Texas* (New York, 1859), p. 314.

33. Albert G. Brackett, *History of the United States Cavalry* (New York, 1865), pp. 125-26.

34. These were Forts Merrell, Ewell, and Inge. *Sen. Ex. Docs.*, 34 Cong., 1 Sess., No. 96, p. 352; Olmsted, *op. cit.*, pp. 285-86; San Antonio *Ledger*, September 9, 1852; Bureau of American Ethnology, *17th Ann. Rpt.*, I, 387-88.

35. William G. Freeman, Report of Inspection of Eighth Military Department, April 22, 1853, . . . , Appendix V, 6, MS., (in N. A., hereafter cited as Freeman Report.)

36. The six other positions occupied by troops in this line included San Antonio, Fort Lincoln on the Rio Seco, Camp Verde in Kendall County, Camp Hudson in Crockett County, Austin, and Fort Terrett on the Llano River. Hamersly, *op. cit.*, pt. 2, p. 140; *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, pt. 1, pp. 277-80; *ibid.*, 36 Cong., 1 Sess., No. 52, p. 188, 191-92; Whiting to Deas, March 14, 1850, MSS., (in L. R., C. E.); Mansfield to Thomas, October 13, November 21, 1860, MSS., (in L. R. Adjutant General, National Archives, hereafter latter will be cited as A. G.)

Indian attacks on California-bound emigrant and cattle trains,³⁷ was guarded by four additional outposts. Forts Stockton, Davis, and Quitman³⁸ protected the stage line and emigrant road between San Antonio and El Paso, while Fort Bliss³⁹ guarded against Mexican raids.⁴⁰ The marauding activities of the picturesque Mexican bandit, Cortinas, in the summer of 1859 and spring of 1860 led to the strengthening of the defenses in the lower Rio Grande. Fort Brown, which had been abandoned, was again reoccupied; a detachment of artillery was ordered to take station between Forts Clark and Duncan, and a company of cavalry was on its way from Camp Hudson. Four new camps were established along the lower Rio Grande. Meanwhile, many military positions established since 1848 had been abandoned.⁴¹

Theoretically, the double system of defense—the series of posts erected at strategic positions between thirty and three hundred miles beyond the frontier settlements—was quite effective, but in actuality it proved inadequate. In the “Big Bend” sector and in the region between the Nueces and the Rio Grande (where the country was sparsely settled and infested with thieves, robbers, and murderers from Mexico and Texas) its effectiveness was questionable. On the eve of the Civil War the twenty-six military posts in Texas, al-

37. *Austin Texas State Gazette*, August 27, 1857, August 28, September 4, 1858.

38. Billing, *op. cit.*, pp. 227-28; *Official Records*, ser. I, vol. I, pp. 502, 594-96; Mansfield to Thomas, October 31, November 7, 17, 1860, MSS., (in L. R., A. G.).

39. The “Post of El Paso,” established in February, 1848, did not receive the official designation as Fort Bliss until March, 1854. Fort Bliss, Post Returns, February, 1848, March, 1854, March, 1867, December, 1870, MSS., (in Post Returns).

40. In addition to the regularly established posts, troops occupied many temporary camps, such as Davis’s Landing, McCulloch’s Station, Ross’s Station, Connor’s Station, Camp Edinburg, Redmond’s Ranch, Camp Rosario, Camp Barranca, Camp Johnston, and Camp Radziminski. *H. Ex. Docs.*, 30 Cong., 2 Sess., I, No. 1, pp. 163-65; *ibid.*, 35 Cong., 2 Sess., No. 27, pp. 48-49; *Sen. Ex. Docs.*, 32 Cong., 2 Sess., No. 1, pt. 2, pp. 58-61.

41. The principal posts abandoned during this period consisted of Forts Belknap, Brown, Ewell, Graham, Lincoln, Martin Scott, Mason, McKavett, Worth, and Ringgold Barracks. *H. Ex. Docs.*, 32 Cong., 2 Sess., No. 1, pt. 2, p. 58; *Sen. Ex. Docs.*, 33 Cong., 2 Sess., No. 1, pt. 2, p. 58; Twiggs to Thomas, February 7, 1859, MSS., (in L. R. Headquarters of the Army, National Archives, hereafter cited as H. A.).

though furnishing some degree of security, did not solve the Indian problem.⁴²

In the territory of New Mexico or Ninth Military Department, there was no definite line of defense as in Texas. A heterogeneous white population of some 61,000, distributed among the seven counties of the territory, surrounded by some 6,000 peaceful Indians and nearly 37,000 of the wild tribes,⁴³ was not conducive to peace. The contemporary press pictured the Indian danger as very grave. Reports of periodic attacks on emigrants and scattered settlements, paralyzing industry and endangering life, brought forth memorials and petitions declaring: "We must have more troops . . . or we are lost."⁴⁴ To cap the climax, the Mexican government filed claims against the United States for Indian depredations from across our border.⁴⁵

In response to this state of affairs, the War Department supplemented the original fortified positions along the upper Rio Grande, such as Fort Marcy, Taos, Albuquerque, and El Paso. By 1852, upon the recommendations of civil and military officers in the territory,⁴⁶ seven new posts were built. Of this number, three bordered the Rio Grande⁴⁷ and the others guarded the Navaho and copper mine country.⁴⁸ The

42. *Sen. Ex. Docs.*, 36 Cong., 2 Sess., No. 1, pt. 2, pp. 218-20. For additional details relating to the Texas posts in the fifties, see M. L. Crimmins, "Colonel J. K. F. Mansfield's Report of the Inspection of the Department of Texas in 1856," in *Southwestern Historical Quarterly*, XLII (October, 1938), pp. 122-48, (January, 1939), pp. 215-57, (April, 1939), pp. 351-387.

43. *Seventh Census of the United States, 1850* (Washington, 1853), p. 993; George A. McCall, *Letters from the Frontiers . . .* (Philadelphia, 1890), p. 522.

44. *Daily Missouri Republican*, September 23, November 14, 1848, February 16, July 8, August 6, 12, 16, 25, December 9, 10, 12, 18, 19, 20, 1849, June 21, 23, 1850, March 22, May 18, 1851; Houston, *Democratic Telegraph and Texas Register*, June 27, 1850.

45. The claim of the state of Chihuahua alone was more than \$20,000,000. *Daily Missouri Republican*, November 4, 1851.

46. *H. Ex. Docs.*, 31 Cong., 1 Sess., No. 5, pt. 1, p. 112; *Sen. Ex. Docs.*, 31 Cong., 1 Sess., No. 64, pp. 138-39; McCall, *op. cit.*, pp. 526, 530-36.

47. Forts Conrad, Fillmore, and Union were erected in 1851. *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, I, pt. 1, pp. 203, 238.

48. These consisted of Fort Defiance, Cantonment Burgwin, Forts Webster and Massachusetts. See A. B. Bender, "Frontier Defense in the Territory of New Mexico, 1846-1853," *NEW MEXICO HISTORICAL REVIEW*, IX (July, 1934), pp. 266-67; Crimmins, "Fort Massachusetts, First United States Military Post in Colorado," *Colorado Magazine*, XIV (July, 1937), pp. 128-32.

new military positions, however, failed to intimidate the wild tribes. In the Mesilla Valley the treacherous Apaches had converted the region into a "land of widows" in which agricultural and mining activities had virtually stopped; even pastoral life could be carried on only under the protection of artillery. The distribution of gifts in the form of meat, flour, "red cloths and calico shirts," served only as temporary palliatives.⁴⁹

With the acquisition of the Gadsden Purchase the problem of defense became more acute. The prevalent belief of the existence of rich mineral deposits in the territory brought a great influx of immigrants into the region between the Santa Rita Mountains and the Colorado River.⁵⁰ To protect the new arrivals from attacks of some 5,000 newly acquired Indian wards as well as from depredations of the older tribes required additional defenses. Between 1853 and the opening of the Civil War, therefore, new posts were built on both sides of the Rio Grande, in the southwestern part of the territory, in the north, and along the upper Colorado, and several of the older positions were abandoned. The repeated and insistent demands of the Mexican government that we restrain the wild tribes, as well as the clamor for greater protection by the frontier settlers, led to the establishment of Forts Thorn and Craig. Since it was believed that the new positions would guard effectively the El Paso-Santa Fé route against Apache and white outlaws, Forts Webster and Conrad were abandoned.⁵¹ Peace on that frontier, however, was not secured. In the spring of 1855, when the Mescalero and Jicarilla bands of Apache took to the war path, Fort Stanton was established on the Bonita River some twenty miles east of the White Mountains.⁵² To protect the

49. Ralph H. Ogle, "Federal Control of the Western Apaches, 1848-1886," *NEW MEXICO HISTORICAL REVIEW*, XIV (October, 1939), p. 342; *New Orleans Daily Picayune*, February 17, 1853; *Santa Fé Weekly Gazette*, February 26, 1853.

50. *San Francisco Evening Bulletin*, May 12, 1858.

51. *H. Ex. Docs.*, 33 Cong., 2 Sess., No. 1, pt. 2, p. 60; *Sen. Ex. Docs.*, 34 Cong., 1 Sess., No. 96, p. 414; *Medical History of Fort Craig, 1854-1884*, MSS., (in *Medical History of Posts, National Archives*).

52. *H. Ex. Docs.*, 34 Cong., 1 Sess., No. 1, pt. 2, p. 70; Sylvester Mowry, *Arizona and Sonora* (New York, 1864), p. 22.

Santa Cruz Valley and to restrain the tribes north of the Gila, Fort Buchanan on the Sonoita was built in the following year.⁵³

When the Mormon War broke out and some of the troops were transferred from the Southwest to the seat of trouble, the warlike bands became more bold. Not only did they levy tribute on commercial and emigrant trains entering the territory,⁵⁴ but also murdered United State Indian agent Henry L. Dodge.⁵⁵ Colonel Bonneville's Gila expedition against the Apache and that of Lieutenant-Colonel Miles against the Navaho into Cañon de Chelly brought only temporary relief.⁵⁶ Demands for more adequate defense naturally followed. But petitions of some 600 citizens of Doña Ana County as well as the recommendations of General Garland, Lieutenant Sylvester Mowry, and special Indian agent George Bailey, for the erection of a series of cavalry posts to check the plundering expeditions of the Apache, proved disappointing. Only one new position—Fort Garland—was established in 1858, and this a substitute for the abandoned Fort Massachusetts.⁵⁷

During 1859 military officers in New Mexico attempted to inject greater vigor into the defense program. Colonels Bonneville and Joseph E. Johnston, after inspecting most of the garrisons, effected a post reorganization; Fort Thorn was abandoned and its property moved to Fort Fillmore; a post was located at the Copper Mines on the site of Fort Webster; a company of Third Infantry was stationed at Hatch's Ranch on the Gallinas River; and at the junction of the San Pedro and Arivaipa, Fort Breckenridge was erected.⁵⁸ This spurt of energy, however, did not quite

53. *H. Ex. Docs.*, 34 Cong., 3 Sess., No. 1, p. 3.

54. *Daily Missouri Republican*, February 6, 1857.

55. *Santa Fé Weekly Gazette*, March 14, 1857.

56. For an account of these expeditions see Bender, *loc. cit.*, IX (October, 1934), pp. 355-59.

57. *Sen. Ex. Docs.*, 35 Cong., 2 Sess., No. 1, pt. 1, p. 559, pt. 2, pp. 291-93, 297-98, pt. 3, p. 778; John H. Nankivell "Fort Garland Colorado," *Colorado Magazine*, XVI (January, 1939), pp. 14-23.

58. Bonneville to Thomas, July 15, 1859, Scott to Cooper, October 3, 1859, MSS., (in L. R., A. G.); *Sen. Ex. Docs.*, 36 Cong., 1 Sess., II, No. 2, pt. 2, pp. 295, 606-07; *ibid.*, 36 Cong., 2 Sess., II, No. 1, pt. 2, pp. 222-23.

satisfy the territorial legislature. Early in 1860 this body memorialized Congress for the establishment of seven additional permanent military posts.⁵⁹

When Colonel Thomas T. Fauntleroy succeeded to the command of the Department of New Mexico, he worked out an elaborate military reorganization program, which was intended both to strengthen the defenses within the department and to protect the emigrant and mail route from Missouri. Fauntleroy's plan, embracing no less than twelve proposals, provided for the abandonment of some of the existing military positions, the creation of new forts, the strengthening of the garrisons and the more efficient and economical supplying of the mounted troops.⁶⁰ The recommendations were followed by orders for drastic changes in the military organization of the territory.⁶¹ But before the new plan could be effected, the Civil War had broken out, so that some of the military positions in New Mexico were temporarily discontinued and the troops removed.⁶²

The establishment of a line of military posts in California completed the system of frontier defense in the Southwest. Whereas in Texas and New Mexico the chief problem was the protection of emigrants and settlers from Indian attacks, on the Pacific coast it involved the additional task of defending the peaceful tribes from the mad rush of impatient prospectors and land-hungry frontiersmen, who seemed content with nothing less than possession of the entire country. In wrestling with this problem, the government fortified the coast settlements, built forts in the mining districts, near the mouth of the Gila, and along the upper Colorado.

The defense program was inaugurated in 1848 when commanding officers in California and Oregon were directed to establish posts and garrisons within their respective com-

59. *Laws of Legislative Assembly, New Mexico, 1860* (Santa Fé, 1860), pp. 130, 132, 134.

60. Fauntleroy to Cooper, December 6, 1859, MSS., (in L. R., A. G.).

61. G. O. No. 6, H. A., March 12, 1860, MSS., (in Orders and Special Orders, H. A., Book 7, National Archives).

62. H. H. Bancroft, *History of Arizona and New Mexico* (San Francisco, 1889), p. 497.

mands.⁶³ During 1849-1850 clashes between unscrupulous whites and Indians in the Russian River country, the upper San Joaquin and Sacramento Valleys led to the stationing of troops at Camp Far West, some thirty miles from Sutter's Fort and at Rancho del Jurupa near Cajón Pass.⁶⁴ The murder of Captain William H. Warner of the Topographical Engineers in the fall of 1849 near Goose Lake⁶⁵ was followed by an order for the establishment of a post in the Sierra Nevada near the 42nd parallel.⁶⁶ In the following year forts were built at Camp Yuma,⁶⁷ Warner's Ranch, and on the San Gabriel.⁶⁸

Since the disturbances of 1849-1850 showed the need of winning the Indian's good will, the President appointed three special agents for California, who were to go into the Indian country, study the Indian's needs, select sites for agencies, and negotiate treaties. In the spring and summer of 1851 the newly-arrived Indian officials succeeded in carrying out the President's orders but as the prospectors and miners nullified the work of the special agents, the Indians rose up to defend their rights.⁶⁹ The Indian war scare naturally brought forth numerous petitions for protection. To appease such clamors, the California legislature instructed its members in Congress to secure additional troops and to build a line of military posts along the California borders.⁷⁰

63. Abert to Derby, April 7, 1850, MSS., (in L. B., Chief of Topographical Engineers, National Archives, hereafter cited as L. B., C. T. E.).

64. *H. Ex. Docs.*, 31 Cong., 1 Sess., No. 17, pp. 905, 941-43.

65. *Sen. Ex. Docs.*, 31 Cong., 1 Sess., No. 47, pp. 16-20; *Daily Missouri Republican*, December 17, 1849.

66. Hooker to Riley, February 26, 1850, MSS., (in L. R., H. A.).

67. For the colorful history of this post see *H. Ex. Docs.*, 34 Cong., 3 Sess., No. 76, p. 34; Eugene Bandel, *Frontier Life in the Army, 1854-1861* (Ralph P. Bieber, ed., Glendale, California, 1932), p. 260; *Medical History of Fort Yuma, 1850-1873*, MSS., (in *Medical History of Posts*).

68. *Sen. Ex. Docs.*, 31 Cong., 2 Sess., No. 1, pt. 2, p. 116E; *ibid.*, 32 Cong., 1 Sess., No. 110, pp. 2-16.

69. *Sen. Ex. Docs.*, 33 Cong., Spec. Sess., No. 4, pp. 39, 81-256; William H. Ellison, "The Federal Indian Policy in California, 1846-1860," *Mississippi Valley Historical Review*, IX (June, 1922), p. 57; Stuart to Barbour, McKee, and Wozencraft, October 9, 1850, MSS., (in L. B., Secretary of Interior, National Archives).

70. *Daily Missouri Republican*, March 17, 19, 1851; *San Francisco Daily Alta California*, January 14, August 26, December 12, 1851; Conrad to Gwin, December 27, 1851, MSS., (in L. B., S. W.).

Thus, within the next five years when ruthless whites and war speculators continued with the policy of Indian extermination and the Indians retaliated,⁷¹ the government attempted to maintain order by erecting additional defenses. Along the northern frontier forts Umpqua, Lane, Jones, Humboldt, and Reading were established while in the south forts Miller and Tejon were built.⁷² Troops were also stationed at Rancho del Chino about 120 miles north of San Diego, at Stockton, on the Sacramento, and on the Trinity.⁷³ But the Californians were dissatisfied. The *Daily Alta California*, a champion of overland migration, even went so far as to declare it "a disgrace to our government" that a line of posts from the Humboldt to Independence, Missouri, had not been established.⁷⁴

Although such criticism was not taken too seriously, military officers in California had not been idle. Early in May, 1857, when General N. S. Clarke assumed command of the Department of the Pacific, he introduced a more vigorous defense policy. Within a few months Camp Bragg and Camp Hollenbush (later Fort Crook) were built in the Pitt River country.⁷⁵ In the following year when the northern tribes attacked a mail stage, massacred an emigrant company, and were reported planning a mass uprising, Camp Gaston, later known as Fort Gaston, in Hooper Valley and

71. San Francisco *Daily Alta California*, December 12, 1851, March 2, April 5, 1852, March 30, September 5, 1853, April 29, 1854, October 15, 1856; McKee to Lea, April 5, July 30, 1852, Hitchcock to Adjutant General, U. S. A., August 31, 1852, MSS., (in L. R., I. O., Cal.).

72. See *H. Ex. Docs.*, 32 Cong., 2 Sess., No. 1, pt. 2, pp. 62, 70, 86; *Sen. Ex. Docs.*, 36 Cong., 1 Sess., No. 52, pp. 240-41; Mansfield to Thomas, May 16, 1859, MSS., (in L. R., A. G.).

73. Of the northern posts, Fort Humboldt, established early in 1853, was the most important; in the south Fort Tejon, built in the following year, was intended to quiet the Reserve Indians at the mouth of Tejon Cañon, to command Tejon Pass, as well as to control the tribes along the Mohave and Colorado rivers. *H. Ex. Docs.*, 35 Cong., 1 Sess., No. 88, p. 103; *ibid.*, 35 Cong., 2 Sess., No. 2, p. 784; San Francisco *Daily Chronicle*, August 13, 1858; Mansfield to Thomas, April 23, 1859, MSS., (in L. R., A. G.).

74. San Francisco *Daily Alta California*, October 9, 1854.

75. *H. Ex. Docs.*, 35 Cong., 1 Sess., No. 2, pt. 2, p. 78; Mildred Brooke Hoover, *Historic Spots in California: Counties of the Coast Range* (Stanford University, California, 1937), pp. 210-11.

Camp Wright in Mendocino County. were established.⁷⁶ Indian alarms in the Humboldt and Klamath regions⁷⁷ led to the erection of Fort Terwaw on the Klamath reservation in 1859,⁷⁸ and when the Mohave and Paiute tribes in the vicinity of the 35th parallel became troublesome, Lieutenant-Colonel William Hoffman, in the spring of the same year, led more than 700 men from Fort Yuma to Beale's Crossing on the Colorado River and established Fort Mojave—the last important military post in the Department of California.⁷⁹ Hoffman's display of force humbled the neighboring tribes only for the time being. On the eve of the Civil War, when the departments of California and Oregon were merged into the Department of the Pacific and some 1,700 troops occupied the dozen posts and stations in California,⁸⁰ the defense problem remained unsolved.

The effectiveness of this long line of military posts⁸¹ did not fail to bring forth animated discussion and considerable difference of opinion among military and civil authorities in Washington as well as on the frontier. Secretary of War Conrad maintained that safety could be secured best only by a constant display of military force in the Indian's own immediate neighborhood.⁸² Territorial and state governors impertuned by settlers and special interests invariably championed the establishment of new posts. Governor Bigler of California in a message to the legislature declared that the erection and maintenance of military stations at intervals of

76. San Francisco *National*, August 17, November 8, 1858; *Sen. Ex. Docs.*, 36 Cong., 1 Sess., No. 2, pt. 2, pp. 612-13; Billings, *op. cit.*, pp. 448-51.

77. *Daily Missouri Republican*, September 26, October 18, 1859; San Francisco *Daily Alta California*, October 6, December 16, 1859, January 10, 26, 1860.

78. Troops also occupied Camp Prentiss near San Bernardino and Camp Cass near Red Bluffs, northwest of Tehama. *Sen. Ex. Docs.*, 36 Cong., 1 Sess., No. 2, pt. 2, pp. 612-13; Mansfield to Thomas, May 6, 1859, MSS., (in L. R., A. G.).

79. Although geographically in New Mexico Territory, Fort Mojave was in the military Department of California. *Sen. Ex. Docs.*, 36 Cong., 1 Sess., No. 2, pt. 2., pp. 387-95, 405, 417; *ibid.*, No. 52, pp. 235-36; Bandel, *op. cit.*, pp. 57, 60, 251, 258.

80. *Sen. Ex. Docs.*, 37 Cong., 1 Sess., No. 1, p. 63; *ibid.*, 37 Cong., 2 Sess., No. 1, II, 33.

81. For a detailed account of the life at the distant posts in the fifties, see Bender, "The Soldier in the Far West, 1848-1860," *Pacific Historical Review*, VIII (June, 1939), pp. 162-71.

82. *Sen. Ex. Docs.*, 32 Cong., 1 Sess., No. 1, pt. 1, pp. 106, 225.

seventy-five or one hundred miles, garrisoned with fifty men each, would afford needed security for the entire trans-Mississippi country.⁸³

A unique proposal for defending the Far West was made by Henry O'Reilly, pioneer builder of telegraph lines. O'Reilly's plan, which involved the establishment of postal and telegraph facilities, the erection of stockades, twenty to thirty miles apart, also provided for mounted troops to patrol the routes, to transmit the mail, and to protect emigrants and settlers. But since General Scott pronounced the scheme "impracticable, uneconomical, and ineffectual," it was not tried.⁸⁴

On the whole, officials in Washington as well as officers in the field condemned the policy of numerous small posts. Quartermaster-General Jesup and Secretary of War Davis contended that a more effective plan was to mass a few large bodies of troops at strategic positions and from these to dispatch large detachments annually into the Indian country.⁸⁵ In Texas General Worth, commander of the Eighth Military Department, and other officers held similar views.⁸⁶ More critical of the government's defense policy was B. E. Tarver, member of a surveying and exploring expedition across northern Texas. Writing to Governor Pease in June, 1857, Tarver declared: "The system of frontier defense as applied to Texas is a signal failure . . . [it] has yielded neither laurels to our army nor protection to our citizens. It should be changed."⁸⁷

The most severe critic was Captain John Pope of the Topographical Engineers. In a fifty-nine page "Military Memoir of the Country between the Mississippi River and

83. *Daily Missouri Republican*, February 23, 1856.

84. *Ibid.*, April 22, 1850; Scott to Floy, June 1, 1857, MSS., (in L. B., H. A.).

85. *Sen. Ex. Docs.*, 33 Cong., 1 Sess., No. 1, pt. 2, p. 6; *ibid.*, 34 Cong., 3 Sess., No. 5, pt. 2, p. 6; Jesup to Conrad, November 22, 1851, MSS., (in L. B., Quartermaster General, Fort Myer, Virginia, hereafter latter will be cited as L. B., Q. G., F. M.).

86. Whiting to Totten, June 19, 1849, Whiting to Deas, January 21, March 14, 1850, MSS., (in L. R., C. E.); Worth to Wood, February 15, 1849, MSS., (in Governors' Letters); Johnston to Thomas, November 17, 1856, MSS., (in L. S., Tex.).

87. Tarver to Pease, June 22, 1857, MSS., (in Governors' Letters).

the Pacific Ocean . . ."⁸⁸ addressed to Secretary of War Floyd, Pope analyzed the existing system of defense in great detail, pointed out its weaknesses, and proposed changes. Pope agreed that prior to the Mexican War the employment of numerous small posts had proved effective since they were situated in fertile lands and formed nuclei for rapidly growing settlements, but with the acquisition of the Mexican Cession the former method was no longer adequate. Despite the new conditions, however, special interests in the distant territories proved so powerful that the government was virtually compelled to establish a multitude of posts along the whole line of frontier settlement.

In Texas, for example, where the first line of defense was within the cultivable region, successful effects could be noted as in the Mississippi Valley. But with the movement of troops into barren areas, where inducements to settlement proved less favorable, cries for protection immediately arose—the loudest clamors coming from merchants, traders, and profiteers. "So soon as the small posts were fairly established in this desert region, a number of people at once flocked around them," Pope declared, "not . . . to make permanent settlements . . . , but simply to sell to the soldiers and employees of the garrison whiskey and other forbidden articles, Some (and they were only few) cultivated small fields of grain to be sold as forage to the Government,"⁸⁹ while others sold whiskey and guns to the Indians.⁹⁰ An exceedingly profitable trade, thus, readily converted quasi settlers into champions of frontier defense, who no sooner heard of the government's intention to remove a military post than they immediately raised a cry of "defense."⁹¹

Pope, of course, was not alone in the belief that reports

88. Pope to Floyd, May 7, 1859, A Military Memoir . . . , MS., (in L. R., C. T. E., hereafter cited as Pope, Military Memoir).

89. *Ibid.*, p. 37.

90. Houston *Democratic Telegraph and Texas Register*, October 30, November 6, 1850; Austin *State Gazette*, September 11, 13, 1858; *Daily Missouri Republican*, September 3, 1859.

91. Pope, Military Memoir, pp. 37-38.

of Indian atrocities were greatly magnified and that selfish motives played a prominent rôle in demands for the establishment and maintenance of new military positions. A French traveller, passing through northern Texas in the fifties, declared that except on the very distant frontiers the Indian danger was reduced to a minimum; this observer maintained that a degree of security prevailed on the Indian frontier which was superior to that found in the streets of New York, London, or Paris.⁹² Similarly, Captain (later General) George B. McClellan and Secretary of War Conrad did not hesitate to explode the greatly exaggerated Indian danger. "It is well known to this Department," wrote Conrad to Governor Bell of Texas, "that the inhabitants in the neighborhood of military posts, have other reasons for wishing them to be kept up, besides the protection they afford. The Department, therefore, is frequently urged to establish posts where there is no real necessity for them."⁹³ The settlers, of course, strenuously denied such charges and the *Austin State Gazette*, championing the cause of the frontiersmen, berated the federal government for its inaction and indifference.⁹⁴ The States Rights faction even went so far as to declare that since the national government failed or refused to render adequate protection the citizens were justified in severing their relations from the Union.⁹⁵

The clamor for protection in New Mexico was even on a grander scale than in Texas, Pope stated in his Memoir, not because the Indian danger was greater but because the New Mexicans had no market for the surplus products other than that afforded by the government. Eighty per cent of the money in circulation in the territory, it was estimated, had been contributed by the civil and military departments of the United States.⁹⁶ Naturally, when attempts were made to remove troops from the towns into the interior or aban-

92. Victor Considerant, *Au Texas* (Paris, 1854), p. 74.

93. Conrad to Bell, September 30, 1852, MSS., (in Governors' Letters).

94. Committee of Citizens to Governor Pease, March 13, 1854, MSS., (in Governors' Letters); *Austin State Gazette*, May 21, 1859.

95. Ford to Runnels, June 2, 1858, MSS., (in Governors' Letters).

96. Pope, *Military Memoir*, pp. 42-43.

don a military post the business interests became panicky. The *Santa Fé Weekly Gazette* declared the removal of troops would ruin the country since it would deprive the people of thousands of dollars in trade.⁹⁷ Besides the desire for legitimate profit, the illicit trade in whiskey and arms, plied by unlicensed traders in defiance of the law, often resulted in violence and in subsequent pleas for more adequate defense.⁹⁸ Thus, in many instances, a demand for protection was in reality only a plea for the continuance of a lucrative trade.

Moreover, friction between the two races on other grounds frequently played into the hands of the "champions of frontier defense." During the so-called periods of peace when the New Mexican Indian visited the towns he was invariably fleeced by the white man. Since the Indian rarely received justice in the courts he sought redress in the only way he knew. A cry of Indian danger at once arose.⁹⁹ The common herding of flocks—each herd under the charge of a single man or boy many miles away from the settlements—served as another cause for trouble. If in the course of a quarrel between herders, a New Mexican killed an Indian and took away part or all of the flock, little was known; but if the Indian committed the violent act the settlers at once pleaded for greater military protection.¹⁰⁰ Since many of the western newspapers magnified the Indian danger and the press in other sections of the country reproduced such reports, the special interests won out. The numerous posts were kept up.¹⁰¹

97. Weightman to Alvarez, May 6, 1852, MSS., (in Twitchell Collection, New Mexico Historical Society, Santa Fé).

98. McLaws to Ker, January 16, 1850, McLaws to Alexander, June 6, 1850, McLaws to Buford, June 25, 1850, MSS., (in L. S. N. Mex., Books 6, 7); Graves to Manypenny, November 29, 1853, MSS., (in L. R., I. O., N. Mex.); *Daily Missouri Republican*, December 8, 1851; *Santa Fé Weekly Gazette*, November 26, 1853.

99. Pope, Military Memoir, pp. 43-44; Russell to Greiner, July 29, 1852, Greiner, "Overawing the Indians," 1852, MSS., (in Ritch Collection, Huntington Library).

100. Pope, Military Memoir, pp. 44-45.

101. Pope, Military Memoir, pp. 37-38. Commenting on the Indian danger, John H. Rollins, Special United States agent for Texas Indians, wrote to General Brooke: "The reports about Indians . . . are to be received with many grains of allowance . . . The News-Papers are full of falsehood on this subject and men who do not belong to the frontier proper are writing communications for the papers . . . to bring on an Indian war to subserve some selfish end." Rollins to Brooke, October 4, 1850, MSS., (in Governors' Letters).

In California, where the white man encountered the least warlike tribes of the North American continent,¹⁰² the outcry against the Indian danger was no less constant and no less exaggerated. The rougher elements in the mining districts, acknowledging neither the right of property, nor of life in the red man, often ruthlessly and wantonly attacked his settlements because of imaginary offenses. The latter, feeling himself innocent, proceeded according to the mosaic principle of "an eye for an eye, a tooth for a tooth."¹⁰³ When ambitious politicians and greedy war speculators "manufactured" Indian atrocities and Mexican greasers kidnapped Indian children and wantonly killed the parents, the war was on.¹⁰⁴ The cry for greater protection was followed by the establishment of new posts.

Because of the vast area of the trans-Mississippi country, and the character of the roving Indian population, many critics considered the numerous, small frontier posts useless and expensive. Pope recommended drastic changes. First of all, he proposed that the trader, the emigrant, the traveller, and the business man should confine their travel to the summer months. Moreover, Pope suggested that the small posts beyond the reach of the settlements should be broken up and the troops concentrated at three or four large forts within the settlements themselves. From these outposts some mounted troops were to be dispatched into the Indian country during the summer months, while others were to serve as escorts for the great overland trails. Like Jesup, Davis, and Johnston, Pope believed that constant pressure of troops in the immediate neighborhood of the

102. *H. Ex. Docs.*, 32 Cong., 1 Sess., No. 2, pt. 3, pp. 504-06; Frederick W. Hodge, *Handbook of American Indians North of Mexico* (Washington, 1907-1910), I, 190.

103. Wilson to Brown, May 31, 1850, Johnston to Brown, July 6, 1850, MSS., (in L. R., I. O., Cal.); San Francisco *Daily Alta California*, January 6, December 9, 1851, September 5, 1853.

104. San Francisco *Daily Evening Picayune*, December 5, 11, 1851; San Francisco *Daily Alta California*, April 7, 1855, May 12, 1856; Wool to Henley, March 5, 1855, Henley to Manypenny, April 9, 1855, MSS., (in L. R., I. O., Cal.); Vallejo to Governor, August 4, 1849, MS., (in Unbound Documents, pp. 93-94, Bancroft Library, University of California).

Indians and their families would create a deeper impression on the red man than a thousand ineffective engagements directed from numerous small outposts.¹⁰⁵ Whether the system of numerous small posts was entirely wrong or whether the recommendations of Captain Pope and his supporters would have solved the problem of defense any better is not entirely certain. Neither method would probably have proved a complete solution. This being a transition period, the successful method of defense had to be evolved gradually.

Added to the criticism of the numerous small posts was the major use of infantry,¹⁰⁶ which some characterized as a "capital military blunder."¹⁰⁷ The *Daily Missouri Republican*, typical of the frontier press, considered infantry a "dead and useless expense."¹⁰⁸ A writer in the same paper declared: "The posts, generally garrisoned by mere fragments of a company of infantry, are no more effective in rendering defense than so many head of sheep."¹⁰⁹ J. W. B. Reynolds, a member of a California emigrant company, writing from San José, California contended that it would be about as sensible to dispatch a company of boys with pop guns to storm Sebastopol as to send infantry to fight Indians.¹¹⁰ The Brownsville (Texas) *American Flag* declared that the "government had as well place its soldiery on crutches and to command them to capture the wild antelope, as to send them, on foot, in the war path of the well-mounted warriors of the plains."¹¹¹ Such criticism, however, proved of little avail. The burden of defense was left largely in the hands of the foot soldier. The difficulty in securing horses and the exorbitant cost of maintaining mounted men in the

105. Pope, *Military Memoir*, pp. 29-32, 49, 57-58.

106. *H. Ex. Docs.*, 30 Cong., 2 Sess., I, No. 1, pp. 164-65; *Sen. Ex. Docs.*, 34 Cong., 1 Sess., II, No. 1, pt. 2, pp. 126-27; *ibid.*, 36 Cong., 2 Sess., II, No. 1, pp. 212-13.

107. *Daily Missouri Republican*, August 25, 1849, January 18, 1855; *Austin State Gazette* September 11, 1858; Twiggs to Thomas, July 1, 1857, MSS., (in L. R., A. G.).

108. *Daily Missouri Republican*, August 25, 1849.

109. *Ibid.*, September 15, 1854.

110. *Austin State Gazette*, December 24, 1856.

111. Brownsville (Texas) *American Flag*, in *Austin State Gazette*, July 1, 1854.

Indian country, undoubtedly, help to explain this condition.¹¹²

In the dozen years preceding the Civil War the federal government had erected more than sixty military posts and stations in the Far Southwest, but Indian outrages and depredations continued daring and numerous. Discounting the exaggerated reports of settlers, speculators, and the frontier press, the fact remains that marauding bands murdered settlers, drove off stock, and even dared to attack the military posts. During this period of unrest, in New Mexico Territory alone, some 200 whites were killed and a million dollars' worth of property was destroyed. Women and children captured by the Indians were frequently sold as slaves to distant tribes.¹¹³ The bloody campaigns waged on both sides of the Pacific coast range, while proving disastrous for the Indian, failed to establish a permanent peace. The frontier defense policy had been but partially successful.

Nevertheless, despite the harsh criticism directed against the ineffectiveness of the government's chief weapon of defense, the military stations in the Far West—and much of the criticism was well founded—the distant posts performed a real service. Although rendering but partial protection to emigrants and the remote settlements, they nevertheless served as pioneers of civilization,¹¹⁴ since they served as nuclei for important punitive and exploring expeditions. As the officers and men scoured the plains and penetrated the mountain fastnesses in search of plunderers, they learned considerable about the region which heretofore had been described as a land of "burning deserts, parched mountains, dried up rivers, rattlesnakes, scorpions, Greasers, and Apache."¹¹⁵ Along the Rio Grande frontier, the military posts played no small part in the development of an extensive

112. *Daily Missouri Republican*, September 4, 1859; Whiting to Totten, July 4, 1849, MSS., (in L. R., C. E.); Jesup to Conrad, November 4, 1850, MSS., (in L. B., Q. G., F. M.).

113. *San Francisco Herald*, August 21, September 14, 1859.

114. William A. Bell, *New Tracks in North America* (London, 1869), I, 28; Abert to Marcy, November 17, 1848, MSS., (in U. S. Miscellaneous, Library of Congress).

115. J. Ross Browne, *Adventures in the Apache Country* (New York, 1869), pp. 11, 27.

trade with Mexico.¹¹⁶ Furthermore, the troops, stationed in the West, accompanied by government surveyors, engineers, and scientists, constantly opened new trails, built roads, and surveyed western rivers. Thus, the distant military stations materially aided in binding together the older settlements with those in the Far West and paved the way for the disappearance of the the "Last American Frontier."

116. *Sen. Ex. Docs.*, 36 Cong., 2 Sess., No. 1, pt. 2, p. 32.

FRANCISCAN MISSIONS OF NEW MEXICO 1740-1760

By HENRY W. KELLY

CHAPTER V

THE CHURCH-STATE CRISIS*

THE HISTORY of New Mexico from the founding of Santa Fé in 1610¹ until the panic-stricken exodus of the Spaniards in 1680 was filled with a running quarrel between the civil and ecclesiastical authorities over the common ground of mission jurisdiction, a quarrel that from time to time boiled over, and then subsided to a simmer until the next crisis gathered force. This futile struggle did much harm, for the real welfare of the missions was neglected while padre and governor exhausted themselves in charges and counter-charges, the framing of long reports and vindictory memorials, which showed no trace of compromise, and resulted in little that was constructive.²

New Mexico in the eighteenth century was, on the whole, spared the evils of these household quarrels. However, the middle of the century saw a serious flare-up of the old trouble, the embers of which did not cool for many years after. In previous chapters on the missionary activities among the Moquis, Navajos and Apaches, we noticed some slight intimations that the secular and ecclesiastical powers were not always smoothly coördinating. The Franciscan charges that the governors were harming the missionary program by non-support and positive hostility were only

* Or "The Pot and the Kettle."

1. Lansing B. Bloom, "When was Santa Fé Founded?" *NEW MEXICO HISTORICAL REVIEW*, April, 1929.

2. For a detailed study of the Church-State problem in the seventeenth century see the following works by France V. Scholes: "Church and State in New Mexico, 1610-1650," *Historical Society of New Mexico Publications in History*, (Albuquerque 1937), VII; "The First Decade of the Inquisition in New Mexico," *NEW MEXICO HISTORICAL REVIEW*, July, 1935; "Troublous Times in New Mexico, 1659-1670," *ibid.*, April, 1937; "Problems in the Early Ecclesiastical History of New Mexico," *ibid.*, January, 1932.

faint echoes of the terrific storm that broke all over the Custodia in 1749 and 1750.

The governor at the time that this Church-State crisis came to a head was Tomás Vélez Cachupín, and it dragged on through the terms of his successors, Marín del Valle and Mateo Antonio de Mendoza.³ One must keep in mind throughout this entire controversy that the historian is unfortunately forced to view matters almost entirely through the window of a Franciscan convent. The plethora of Franciscan documents on the struggle and the contrasting scarcity of documents showing the secular side of the question make it difficult to form opinions and pass judgment with the desirable impartiality.

In 1749 Fray Andrés Varo, then an old man, having come from Spain as a padre in 1718 and having been custodian twice, went to Mexico for the provincial chapter meeting. He wrote, as we have seen, a report in January of that year concerning the status of the Custodia, followed by another in March of the same year stressing the supreme necessity for a presidio in the Junta de los Ríos region. These reports were presented to the viceroy, and Fray Varo returned to New Mexico, custodian for the third time.

Meanwhile, "the fire of persecution was burning extinguishably against the religious of the Custodia," led by Governor Cachupín, whose ire was increased by the knowledge of Varo's two reports. Later in 1749 the viceroy, as a result of Varo's reports, sent Don Juan Antonio de Ornedal y Maza to New Mexico in the official capacities of presidial inspector and *juez de residencia*. Ornedal joined the Cachupín faction, and "hell conspired with all its fury to exterminate the religious from the Custodia." Ornedal, in league with the governor, drew up a very unfavorable report of the Franciscan administration of the missions, and recommended drastic reforms. In December, 1749, the viceroy sent to the Franciscan provincial, Jimeno, a certified copy of

3. According to Bloom, "The Governors," 155, the terms of these three governors were: Tomás Vélez Cachupín 1749-1754; Marín del Valle 1754-1760; Mateo Antonio de Mendoza *ad interim* governor during 1760.

Ornedal's slanderous report. The provincial in March, 1750, replied to the viceroy, refuting piecemeal Ornedal's charges, at the same time sending the copy of his report to Custodian Varo, ordering him and the missionaries to reply in detail to the damning charges. The provincial's somewhat generalized rebuttal would then be bolstered by special facts from the scene of the trouble.⁴

Also in March, 1750, the venerable Fray Carlos Delgado, then seventy-three years of age, in retirement from active missionary life at the hospice of Santa Bárbara in Mexico City, wrote a sizzling denunciation of the secular power in New Mexico. Too old to work any longer in the field, he wielded a savage pen in defense of his Order.⁵

The other principal champion of the brown-robcs, Fray Andrés Varo, did as his provincial requested, and in 1751 returned a very bulky collection of documents in defense of the Order and denouncing the secular power. This collection included a long, comprehensive report by Varo, supported by shorter reports by the Vice-Custodian Manuel Trigo and Frayles Andrés García, Juan Sanz de Lezaún, Manuel Vermejo and Juan José Oronsoro. The veracity of these reports was solemnly ratified by numerous attestations "in verbo sacerdotis." In order doubly to assure the viceroy of the truth of their statements and to lend an impartial touch, the padres included the sworn testimonials of numerous prominent colonists praising their unselfish and devoted attention to duty.

For some reason Jimeno did not send this Varo collection to the viceroy, probably considering them too bulky, the time inopportune or his own report of 1750 sufficient. These documents gathered dust for a decade in the archives of the Franciscan headquarters, the succeeding three provincials failing to make use of them. In 1761 Provincial Serrano, acting under superior orders, as a result of continued trouble in New Mexico, dusted off these reports, written and col-

4. Report of Provincial Serrano to Viceroy Cruillas, 1761, Hackett, *Historical Documents*, III, 479-480.

5. Hackett, *Historical Documents*, III, 425.

lected by old Varo ten years before, and made a resumé of them including long quotations from Varo's report, in addition to other letters and reports written by New Mexican missionaries between 1758 and 1760, which he sent to the Viceroy Cruillas.⁶ I feel that this short description of the authors, nature and chronology of the numerous reports on this dispute is valuable in eliminating confusion when they come up for study in the course of the chapter.

In the first place let us see what Ornedal, the presidial inspector and judge of residencia, said in his famous report and what the padres said in self defense. The original report of Ornedal has not yet been located, but its contents are known because each charge was minutely listed and refuted by the Franciscan writers. The padres considered Ornedal as legally incompetent to make such an all-embracing report, for he came only as presidial inspector and to take the residencia of the outgoing Governor Codallos (1743-1749), having no authority to investigate the conduct of the missionaries. The provincial considered him only as a private, voluntary informer whose charges were general, unspecific, contradictory and containing little truth and impartiality.

Ornedal began by charging the missionaries with grave neglect of their duties, failing to say Mass and administer the sacraments over long periods of time, and frequently deserting their posts to indulge in trade for their own benefit.

Secondly, Ornedal charged that, through neglect of the padres, the Indians had not learned to speak Castilian, although the law provided that they were to be taught, and that they did not exert themselves to learn the native dialects, the only real way of effectively Christianizing the Indians. The Indians usually put off confession until the hour of death because they naturally disliked having to recount their sins through an interpreter. Ornedal claimed that the root of the trouble lay in the disregard that the Franciscan custodians had for the right of royal patronage enjoyed by the governors. The custodians moved the religious about from mis-

6. Hackett, *Historical Documents*, III, 480-481.

sion to mission, making exchanges or filling vacated posts without explaining the reason for the change or receiving the governor's approval. A religious was not allowed to remain in one place long enough to learn to understand the native dialect, much less to speak it, with the result that the padre did not reach his charges effectively.

In the third place, Ornedal accused the missionaries of searching the houses of the Indians and forcing them to give up grain that they had stored to feed their own families. The padres extorted this supply in addition to the swollen harvests that they received from the fields of corn and wheat that the Indians raised especially for the support of the missionaries. The padres, seizing the Indians' sheep, forced them to weave fabrics of wool and also of cotton, for which they received no pay. Ornedal went so far as to say that, unless virtuous religious were sent to the missions, the Indians would soon flee and join the heathen, for all their property had been taken.

Fourthly, Ornedal claimed that the padres so neglected their high calling that they engaged publicly in trade among themselves and the Indians. The chief articles of trade were the woolen and cotton cloths that the Indians wove, and should they fall short in their quotas the padres would confiscate their buffalo robes and buckskins. If the unhappy Indians tried to complain to the civil power, they were threatened with flogging and other dire punishments. The padres were forced to resort to these objectionable practices because their annual sínodos arrived greatly curtailed, and Ornedal advocated as a remedy that the governor distribute them in the future to insure proper allocation.

Turning from this series of charges, Ornedal, in his fifth point, became more constructive. He advised that the missions at Santa Fé and El Paso del Río del Norte, where the populations were predominantly Spanish, be taken out of the hands of the Franciscans and turned into regular parishes, served by secular priests under the episcopal power of the bishop of Durango. It was the regular policy through-

out colonial Spanish America to replace the missionary type of regular clergy with secular priests when a frontier area became sufficiently civilized and settled with Spanish colonists and domesticated Indians. The missionary was to move on into new territory.

Ornedal claimed that both these settlements were prosperous and well established, yielding revenues far in advance of those needed to support one or more religious. He claimed that the obventions in Santa Fé exceeded two thousand pesos, including what was produced by the *pié de altar*, which consisted of Mass fees contributed annually by the presidial company. The revenue of El Paso was even greater, approaching two thousand five hundred pesos. By replacing the two religious at each villa by one secular priest at each place, the Hacienda real would be relieved to the amount of four stipends, for the secular clergy would be supported by the bishop and the parishioners.

Lastly, Ornedal devoted a large part of his report to a scheme of retrenchment and consolidation. In order to ease the burden of the *real hacienda*, he suggested reducing the number of religious in the New Mexico missions, having one padre take care of three neighboring missions, instead of maintaining one in each mission. The following were the missions affected, arranged by groups, each group to be served by one padre.

1. Puxuque [Pojuaque?], Tesuque, Nambé.
2. San Ildefonso, Santa Clara, San Juan de los Caballeros.
3. Cochití, San Felipe, Santo Domingo.
4. Santa Ana, Sía, Jémez.
5. Ácoma, Laguna.

This plan would release nine missionaries from service, saving the Crown nine sínodos.

Ornedal also advised retrenchment in the El Paso region where the four missions of Real de San Lorenzo, Senecú, La Isleta and El Socorro were situated very close to El Paso, the most distant being only four leagues away. The four

religious should be replaced by one secular priest and two assistants, or, as an alternative, their number cut down to one for the four missions. Although Ornedal did not visit the Junta de los Ríos missions, he proposed similar retrenchment there, one padre to administer all six of the missions.⁷

This searing denunciation with its drastic proposals of secularization and retrenchment aroused a storm of protests from the Franciscans, the sources, number and chronological order of which have been reviewed above. Consolidating these various reports, we are given a minute refutation of each of Ornedal's points, the net result of which is to clear the Franciscan reputation and show the inadvisability of his reforms.

The padres vigorously denied the charge that they neglected their religious duties and frequently deserted their posts to indulge in trade. The missionaries were men tested in the zeal and care with which they performed their duties, and such charges were ridiculous. The only time that a padre left his post was when he was designated by the custodian, at the governor's request, to accompany the soldiers and vecinos as royal chaplain on expeditions against the predatory heathen. He also was permitted to leave his post occasionally for proper and legitimate reasons after authorization from the custodian. In his absence his flock was cared for by the padre at the nearest mission. Given these restrictions there was no opportunity for the padre to sally forth at will on commercial enterprises even if he were so inclined. Fray Varo did not hesitate to admit that, as every human organization had its flaws, the Franciscan order had its quota of unworthy members. There were dissolute and ungovernable (*relajados y díscolos*) frayles, those who, overcome by the common inheritance of human frailty, did not live up to the high ideals of the Order. He mentioned especially "two frayles, who, as men, sinned, but all the frayles being men are not like those two sinners." On the other hand

7. My authority for Ornedal's report is the report of Provincial Ximeno to the Viceroy, March, 1750, Hackett, *Historical Documents*, III, 441-456, *passim*.

the superior prelates and the custodians took special care to eliminate the evils and punish the guilty friars, a close watch being kept on the conduct of all the missionaries. Ornedal characterized the whole staff of the Custodia by the weaknesses of a few of its members, and even those *discolos* were not guilty of a great many of the charges laid upon them.⁸

Ornedal's charge that the padres had not only failed to teach the Indians Castilian, but had failed to learn the native dialects, struck at the very foundation of the mission program. If his charge was true, the padres and Indians, being unable to exchange ideas except through interpreters, the whole scheme of conversion and instruction was a farce. There is general agreement among the Franciscan champions that the vast majority of the Indians did understand Castilian well, and were able to confess in that language, a condition resulting from the constant diligence of the padres and the desire of the Indians to learn.

Ornedal's charge "that not a single Indian in any of the missions, receives during his life any other sacrament than that of penance and then only at the moment of death and by an interpreter" was a gross distortion of the truth. He expanded what was an unusual case into a prevalent condition. Varo admitted that there were a few Indians who stubbornly refused to confess in Spanish, preferring their own tongue, and it was they who would postpone confession until death using an interpreter. Varo cited the example of one Indian who appeared eager to become a Christian, made rapid strides in the instruction, but, when all prepared for baptism, refused to receive it in spite of all the arguments and pleadings of the padre. So obdurate was the Indian that Varo exclaimed in exaggeration, "Heavens, what an Indian!" (*Válgate Díos que Indio!*) The Indian held out for years, yielding only at the approach of death, exclaiming "now's the time, now's the time, for I am dying." These examples were the rare exceptions, and most of the Indians confessed at

8. Ximeno Report, 1750, Hackett, *Historical Documents*, III, 441; Varo Report, 1751, B. N., Leg. 9, Doc. 17, Folio 13v and 17.

least once a year, to comply with the precepts of the Church.

The padres did not acquit themselves very well of the charge of failure to learn the native dialects, of which the Queres, Tewa and Tigua were predominant.⁹ They denied the truth of Ornedal's charge, but failed to come out with a strong, positive assertion of their knowledge of the native tongues, arriving at such a conclusion only by indirection or inference. Padre Varo probably came nearest to the truth, yet he was contradictory. He claimed that most of the ministers understood the native dialects, and "more than three" both understood and spoke them, but that none of them had a complete mastery, although enough of one to fulfill their duties. In this "more than three" group was one unnamed padre who "understands and talks it [the Indian language] as perfectly as the Indians." We are left with the impression that this matter of Indian dialects was a sore point with the padres, an impression that is strengthened by the frequent references to the use of interpreters. The padres certainly do not stand acquitted if, out of twenty-five missionaries in the Santa Fé region of the Custodia, only three or four were able to understand and speak the native dialects. However, their assertions that the Indians understood Spanish stands on firmer ground, and after all it was really more desirable to make Spanish the common language, for its general usage would intensify and accelerate the program of conversion and cultural assimilation of the Indians.

Ornedal laid the failure of the padres to learn the native tongues to their frequent shifting from one mission to another. Varo, dodging the issue, said that thirty years of experience in mission administration had convinced him of the wisdom of these periodical redistributions. He insisted that the custodian was under no obligation to submit his plans for distribution of the missionaries to the governor, who illegally was attempting to expand his powers of patronage. The change of atmosphere had a freshening effect on both the padres and the Indians. In fact, the Indians of

9. See earlier, Chart in Chapter II.

one mission petitioned a former custodian for a new padre, not because their present one was lax or oppressive, but merely "because the padre has been with us for a long time." I think that we will all agree that Padre Varo's psychology was sound.¹⁰

Against the serious charges of enforced personal service, extortion of Indian property and general oppression the padres piled up convincing proof of their innocence. Ornedal employed glittering generalities, blanket denunciations, almost entirely unsupported by specific instances of such oppression. From the earliest missionary times it was the custom for the Indians to cultivate a field called "the father's." This the Indians did voluntarily and gladly, for they were burdened with no obventions as were the Spaniards. The padre's *milpa* yielded only enough to meet his indispensable requirements, not a swollen harvest. As proof that the Indians planted the padre's *milpa* willingly the case was cited of one group of mission Indians who refused to accede to the request of their over-scrupulous minister that they cease to trouble themselves with his plot, but instead supply him at their pleasure from their own harvests. The Indians wanted to continue the cultivation of the padre's plot, for he often supplied them with corn when they were in need.

Padres Vermejo and Lezaún, after their unfortunate experience with the Navajo-Apaches at Cebolleta and Encinal in the spring of 1750, were stationed at the missions of Zía and Santa Ana respectively. They have left us some interesting information on this matter of the padre's *milpa*. Quite logically, this sowing could not be excessive, for the object was to keep the Indians docile, and to do so they had to be brought to love their minister. In 1750 at Zía the fields planted for Fray Vermejo yielded sixteen *fanegas* of corn (a fanega equals 1.56 bushels) and less than two fanegas together of chile and beans. This harvest was an unusually

10. Varo Report, 1751, B. N., Leg. 9, Doc. 17, Folio 5v-6v; 13v-14v; Ximeno Report, 1750, Hackett, *Historical Documents*, III, 445.

abundant one as the *alcaldes* and Indians could testify. The *alcalde* of Jémez could testify that the Indians of that pueblo never sowed more than two fanegas of wheat for their padre, which that year yielded thirteen fanegas. At Santa Ana the Indians in 1750 sowed for Padre Lezaún one-half a fanega of wheat and a cupful (*como una jícara*) of corn, the barn-bursting harvest from such an abundant sowing being easily visualized. In the other missions the most that was sown for the padres was three or four fanegas as the *alcaldes* could testify. Sometimes the padres did not get a single grain of wheat due to frequent plagues. In 1749 Vermejo had to support himself on *guaiabes*,^{10a} not having any wheat. There was no use in gathering a harvest greater than the padre's own needs, for there was no market, and the surplus would only spoil. Only a few of the Indians of each pueblo worked in the padre's field, and while so occupied they were fed at his expense.

The missionaries did not extort extra supplies of corn from the homes of the Indians or steal livestock from their corrals, for the Indians would not stomach this injustice, and would lose respect for them and the religion that they taught. At Ácoma and Zuñi the Indians willingly supplied their padres with fresh meat daily because they had large flocks of sheep and goats.

Equally false was the charge that the padres forced the Indians to spin and weave large quantities of wool into *mantas*. Where did the padres get all this wool to keep the poor Indians busy? They had no flocks themselves. In the *Río Arriba* district, that is, north of Santa Fé in which nine missions were located, neither the Spaniards nor the Indians raised sheep in sufficient numbers to yield a sizeable wool crop. The truth was, according to Padre Vermejo, that a sheep was killed every fifteen days for the padre's support.

10a. Guaiabe is a Pueblo Indian term for their wafer-like corn bread. Well ground corn (not wheat) is prepared in a thin batter; then on a flat stone, well heated over the fire, the Indian woman quickly spreads a handful to cook, and deftly folds the sheet as it is finished. It tastes like "corn flakes," and Vermejo might easily have fared worse; but protracted use of unleavened corn might weary one who was accustomed to leavened wheat loaves.

The wool was pulled from the pelt by two *semaneros*, who kept half for themselves, the balance being woven into clothes for the padre. In the nine missions of *Río Abajo*, where wool and cotton were more plentiful the Indians did weave a few mantas to meet the padre's needs, but in no such stupendous and excessive quantities as Ornedal reported.¹¹

The padres showed themselves very thankful for the sínodos which the Crown sent annually. Ornedal claimed that the padres engaged publicly in trade because their salaries arrived greatly curtailed. This was untrue, and Ornedal, in order to support such a statement, would have to have had access to the Franciscan records which in fact were not available to him. The medium of exchange being mantas, buffalo robes and buckskins (*gamuzas*), the padres did obtain enough of the latter from the nomads to meet their necessities not taken care of by royal aid and the yield of the padres' fields.¹²

Ornedal, not content with heaping lies upon the good name of the Order, gave the missionaries no credit for the good work that they were doing. He made no mention of the missionary activities among the heathen, of their willing service as army chaplains, whenever called, on the campaigns against the nomads or of the physical labor that they themselves did in constructing and repairing convents and churches with no aid from the civil government. Fray Vermejo in the fall of 1750 was working personally with his Indians in building a new church and repairing the convent that had fallen into disrepair. At Santa Ana, Fray Lezaún, when he took over the mission, found the church half crumbled. In the short time of two months, under his direction, the Indians extracted *vigas* from the mountains, made adobes and restored the church perfectly.¹³

11. Ximeno Report, 1750, Hackett, *Historical Documents*, III, 446-447; Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 3v-4v; Varo Report, 1751, B. N., Leg. 9, Doc. 17, Folio 15v; Trigo Report, B. N., Leg. 8, Doc. 69, Folio 7.

12. Ximeno Report, 1750, Hackett, *Historical Documents*, III, 449; Varo Report, 1751, B. N., Leg. 8, Doc. 17, Folio 12v-13; 15v.

13. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 5v.

In order to lend their assertions more validity in the eyes of the viceroy, the padres obtained about a dozen testimonials, all given during the summer and fall of 1750, by prominent laymen in the kingdom. It is interesting to note that every testimonial was given by an ordinary vecino or an ex-official, a former alcalde mayor, an alférez, a captain or lieutenant of the presidio. The absence of testimonials of officials then in office is explained by a decree issued by Governor Cachupín in 1750, which was intended to gag the padres. This decree forbade the alcaldes mayores under any condition to issue certificates to the padres under penalty of a two hundred peso fine, deprivation of office and other drastic punishments. In this way the padres were unable to refute the charges made by Ornedal and the governor with testimonials of good conduct from the alcaldes. This decree was confirmed by all of Cachupín's successors, through the term of Governor Mendoza in 1760. So effective was this censorship that Franciscan provincials in Mexico got very little news from the northern part of the Custodia. Varo's famous report of 1751 would not have reached the provincial had it not been smuggled out by a religious. The Franciscans were forced to send their official mail among the papers of the Holy Office with which the governors dared not tamper. This decree accounted for a decade of Franciscan silence in the Church-State quarrel, between the time that the Provincial Ximeno in March, 1750 sent the viceroy the first refutation of the Ornedal charges and the final recapitulation sent to the viceroy in 1761 by Provincial Serrano.¹⁴

For this reason the padres in 1750 were forced to obtain testimonials from men who would not incur the penalties connected with such a service. The testimony of the colonist Gerónimo Jaramillo, "a native of this Kingdom of New Mexico and one of its conquerors," is typical of that given by all. This old follower of Vargas was proud of his title of conquistador, which lent his testimony added prestige. Many

14. Vermejo-Lezaún Report, October 29, 1750, B. N., Leg. 8, Doc. 82, Folio 5; Serrano Report, 1761, Hackett, *Historical Documents*, III, 496-497.

of these rude, old Spaniards found the pen unwieldy and their grammar and spelling very rusty as they laboriously scratched down the testimonials. One of them, Diego Torres, was forced to dictate his testimony, affixing his signature with great difficulty. Jaramillo, for fifty-six years a resident of New Mexico, vouched for the good conduct of the padres; the careful performance of their religious duties; that the Indians sowed only enough for their essential needs; that the Indian weavers supplied them with only a bare minimum of sheets and mantas; that they exacted no obventions from their charges; extorted no property, and did not engage improperly in trade.¹⁵

The padres vigorously opposed Ornedal's plan to replace them in Santa Fé and El Paso with secular priests. Provincial Ximeno claimed that Ornedal was not in a position to obtain detailed information concerning the church revenue produced in these towns. He could only have determined that sum by an examination of the books kept by the missionaries at each place, a privilege that he did not enjoy. His statements that the obventions of Santa Fé produced two thousand pesos annually and those of El Paso two thousand five hundred were gross exaggerations. In 1748 the total obventions at El Paso came only to one thousand two hundred pesos and neither villa was in a position to be converted into a curacy.¹⁶

This attempt to introduce secular clergy was only one more phase of a long, complicated and bitter struggle that had been dragging on within the Church, namely the attempt of the nearest episcopal authority, the Bishop of Durango, to extend his jurisdiction over New Mexico. The quarrel started in 1725 when Bishop Crespo visited the Custodia, penetrating only as far north as El Paso, where he exercised his functions without much opposition. However, in 1730, on his next visit he came all the way to Santa Fé. In several of the missions the friars refused him permission to adminis-

15. B. N., Leg. 8, Doc. 76, Folio 2-13, *passim*.

16. Ximeno Report, 1750, Hackett, *Historical Documents*, III, 450-451; Varo Report, 1751, B. N., Leg. 9, Doc. 17, Folio 20v.

ter the sacrament of Confirmation, acting upon instructions from the custodian, Fray Andrés Varo, who in turn was obeying superior orders. Bishop Crespo began legal proceedings against the padres. The trial dragged on interminably with appeals and counter-appeals, the advantage swinging from one side to the other. Bishop Elizacochea continued to prosecute the case of his predecessor, and brought it before the Council of the Indies. He visited New Mexico in 1737 without any recorded opposition, leaving a record of his passage on Inscription Rock (El Morro) near Zuñi. The law suit begun years before by Crespo, was still simmering in 1750. The padres evidently suspected, with good reason, that Ornedal was an agent of the bishop, and were determined not to subordinate their Custodia to the Durangan mitre, which in their eyes would be to its prejudice. Santa Fé was removed over four hundred arduous leagues from Durango, a distance too great to enable the bishop, without the elaborate organization of the Franciscans, to exercise effective control, and the missions were too poor to support parish priests, who would have no royal sínodos. Moreover, the Franciscans dreaded the thought of being subordinated to a strange authority after two centuries of autonomy, a subordination which might ultimately result in their complete removal.

The bishop, regardless of the undecided state of the lawsuit, by 1750 had succeeded in placing *jueces eclesiásticos* at Santa Fé and El Paso, and was collecting tithes.¹⁷

Ornedal's "economy streak" in the New Mexico missions involved cutting down the number of missionaries, and therefore the number of sínodos, by having one padre administer several missions instead of only one. To a person with an eye to slashing expenditures, having casually glanced at a map of the missions, Ornedal's plan would seem quite sensible and long overdue, for the neat little churches, designating missions, look but a stone's throw apart. However,

17. Bancroft, *History of New Mexico*, 240-242; Twitchell, *Leading Facts*, I, 437; Varo Report, 1749, B. N., Leg. 8, Doc. 57, Folio 5v-6; Ximeno Report, 1750, Hackett, *Historical Documents*, III, 450.

such a person would be guilty of over-simplified and perfunctory thinking. Such, in fact, was the opinion of the padres of Ornedal's scheme. He traveled along the *camino real* in comparative ease in a carriage or on horseback, visiting only a few of the pueblos and getting no conception of the difficulties of travel off the beaten track. He had only a rough idea of the locality and accessibility of many of the missions. He did not consider that the missionary might be called upon at any hour, night or day, in all sorts of weather, to make sick calls or say Mass. "They are exposed to great danger and peril at all times, having to cross rivers in canoes often at night and at times when their waters are in flood and very rapid." Certainly any one who has traveled considerably in present day New Mexico will agree with Padre Ximeno in his estimate of the difficulties of travel. Even today one need only desert the main highways to experience the many obstacles that beset the traveller; the stickiest, most slippery mud in existence; red, death-dealing torrents of water suddenly rounding the bend of a dry *arroyo*, caused by a cloudburst miles away; earth shaking electrical storms and deep snows in the winter. All these the padre experienced, on foot or horseback.

The missionary could not possibly attend to all his multifarious duties under the conditions suggested by Ornedal. He could not answer all the simultaneous calls in different missions for his services; he might reach a dying Indian too late to aid him. "The Catholic Kings, in their Christian and pious zeal, do not desire to save the royal funds at such expense to the spiritual welfare . . ." of their subjects.

Besides the damage to the spiritual welfare of the Indians that this excessive retrenchment would have caused, the provincial reminded the viceroy that the missionaries, as human beings, needed some earthly consolations. He cited a passage from the mediaeval Spanish law code, *Las Siete Partidas*, that no friar should be sent off alone, for he needed the company of others "to comfort him, and give him strength to struggle with the devil, the world and the flesh, which are the

enemies of the Soul, for he who lives alone is miserable." Alfonso the Wise knew his practical psychology, and the law that he perpetuated was dusted off in an effort to alleviate the loneliness of friars living in a remote valley, thousands of miles from Spain, five hundred years after that monarch's reign.

Ornedal ignored both the laws of the Church and the Siete Partidas when he intended a solitary man to care for two, three or even four missions. Yet he showed himself inconsistently lenient when he suggested that the missions of the El Paso region be erected into curacies, for he gave the curate two ecclesiastics to bear him company. Ironically the provincial asked, "Is this, perchance, because the sack cloth worn by the religious is woven in a loom of less account?"¹⁸

We have seen how the padres defended their reputations from the charges heaped upon them by the Cachupín-Ornedal clique and, with one exception, the ignorance of native dialects, they acquitted themselves in a convincing manner. But they did not confine themselves to the defensive, for the Ornedal report and trouble with the governor had aroused their anger, and they struck out on a vigorous offensive. The Franciscan counterblast was bitter to the extreme, and innumerable charges of all varieties were heaped upon the secular authorities. Again, in making evaluations, one must constantly keep in mind that we see the governor and his henchmen only in the lurid light of the Franciscan denunciations, but even after making a liberal discount for clerical exaggerations, the hands of the secular authorities appear far from clean.

Governor Cachupín, Ornedal and the *alcaldes* exercised a cruel tyranny over the Franciscans, the Indians and the *vecinos*, in fact the whole Kingdom groaned under continual oppression. Listen to the wail that Padre Varo, like another Jeremiah, sent out of the desert:

18. Ximeno Report, 1750, Hackett, *Historical Documents*, III, 451-454.

Oh land and Kingdom of New Mexico! So long oppressed, humiliated, and persecuted, so often not governed, but tyrannized over by these unworthy chiefs, who, having been honored by our Catholic and most zealous Kings with the governorship for the purpose of establishing peace, administering justice, upholding the law of God, protecting the poor, especially the unhappy Indians and defending the community of Christians from the heathen who surround it on all sides, do not do so.¹⁹

Padre Carlos Delgado in his blistering report "concerning the abominable hostilities and tyrannies of the governors and alcaldes mayores toward the Indians to the consternation of the Custodia," indulged in an even more sweeping denunciation:

I declare, that of the eleven governors and the many alcaldes mayores whom I have known in the long period of forty years that I have served at the mission called San Agustín de la Isleta, most of them have hated, and do hate to the death, and insult and persecute the missionary religious, causing them all the troubles and annoyances that their passion dictates, without any other reason or fault than the opposition of the religious to the very serious injustices which the said governors and alcaldes inflict upon the helpless Indians recently received into the faith, so that the said converts shall not forsake our holy law and flee to the heathen, to take up anew their former idolatries.²⁰

Most of the governors looked upon their office as a commercial enterprise, although forbidden by law to indulge in trade while in office, using every minute of their term to amass a private fortune. Many came burdened with debts, obsessed with the one idea of putting themselves on their feet financially and ignored completely the welfare of the province. The resources of the Kingdom were few and slim, and exploitation of the Indians, through the alcaldes mayores,

19. Serrano Report, 1761, Hackett, *Historical Documents*, III, 483.

20. Delgado Report, 1750, Hackett, *Historical Documents*, III, 426.

was one of the few ways to acquire wealth even to the extent of fifty or sixty thousand pesos in the five year term.²¹

Perhaps the most flagrant form of exploitation to which the Indians were subjected by the secular authorities was the oppressive system of personal service. According to law the Indian was to be treated as a free laborer and paid for his work. These *semaneros* served in shifts for the period of a week at the end of which time they were replaced by another shift. They were mainly household servants performing various tasks about the residences of the governor and the *alcaldes*. The Indians serving the governors were drawn from the missions up stream (Río Arriba) during the warmer months, that is from Easter to All Saints' Day and from down stream (Río Abajo) during the colder months, from All Souls' Day to Easter, for many of the northern pueblos were snow bound during the winter. The new shift arrived every Sunday at the Royal Palace in Santa Fé, consisting of five men and five women. The men cut and hauled firewood, and performed other menial tasks. The principal employment of the women was the grinding of corn on their stone metates. No Indian escaped this service, not even the young neophytes that were being instructed by the *padres*. The *semaneros* had to come as best they could, on foot or horseback, often many leagues, in all conditions of weather, the suffering being especially intense in winter when a heavy blanket of snow covered the Santa Fé region.

Misfortunes and scandals frequently resulted in connection with the Indian servants. The married women, who left their pueblos pregnant, often had miscarriages as a result of the hard labor and the hardships of the long journey to and from Santa Fé.²² Even more common was the disrespect that some of the governors and *alcaldes* had for the sacredness of the Indian family. They openly violated the wives and daughters with the result that many husbands repudiated their wives. Padre Delgado gives a graphic description of the callousness of the officials in this respect.

21. Serrano Report, 1761, Hackett, *Historical Documents*, III, 486.

22. Lezaún Report, 1760, Hackett, *Historical Documents*, III, 470-471.

The shameless way in which the officials conduct themselves in this particular is proved by an occasion when a certain Governor was in conversation with some missionaries, and an Indian woman came into their presence to charge him with the rape of her daughter, and he, without changing countenance ordered that she be paid by merely giving her a buffalo skin that he had on hand.²³

In addition the missions had to furnish every week Indians to herd the governor's sheep and cattle. They not only built corrals and sheared the sheep but furnished the poles, axes and shears. A great evil was the custom of forcing the Indians to drive the governor's cattle to Chihuahua City, over two hundred leagues from Santa Fé. Such a trip gave the Indian little chance to till his fields and care for his family.

The governors were hand in glove with the *alcaldes*, and, upon selling them their wands (*varas*) of office, advised them to join in squeezing the Indians dry. The *alcaldes* were given a free hand as long as they obeyed the governor and kept him friendly by liberal gifts. Following the example of the governors, they exploited the Indians living in their *alcaldía*. It cost them nothing to raise, harvest and grind a crop of corn or wheat, using squads of conscripted Indians. The Indians also performed other tasks; clearing *acequias*, making adobes, weeding fields and shearing sheep. The *alcaldes* rarely appeared in the pueblos, unless it was to squeeze the Indians in some way, for themselves or the governors. "Everywhere there is nothing but 'let Indians come,' 'let Indians go,' 'let Indians carry that' . . ."²⁴

Besides this personal, *semanero* type of service the Indians were exploited in other ways. The governors through the *alcaldes* collected all the wool they could from the Indians, allotting a certain amount to each pueblo to be washed, combed, carded, spun and woven into blankets and delivered

23. Delgado Report, 1750, Hackett, *Historical Documents*, III, 427-428.

24. Serrano Report, 1761, Hackett, *Historical Documents*, III, 485; Delgado Report, 1750, Hackett, *Historical Documents*, III, 427.

by a certain date. One can imagine the labor of transporting these blankets to Santa Fé, sometimes from missions as far distant as Zuñi, seventy leagues away. In 1750 the alcalde of Isleta forced the Indians of that pueblo to shear "over one thousand" head of his sheep (*mill y tantas*). The wool was distributed, a blanket required from each home.²⁵ In the same year the alcalde collected from the pueblo nearly two hundred blankets that the Indians had been forced to weave for the governor.²⁶

"For none of these immense labors do these unfortunates receive any other reward, wage, or recompense than this; that it is for the señor governor, it belongs to the señor governor, the señor governor orders it."²⁷

Not content with burdening the Indians with the hated *tejidos*, the governors had the alcaldes "buy" or extort from the pueblos large quantities of maize, which the Indians had to carry gratis to the governor's residence. Payment was usually long overdue, if forthcoming at all, and then, only at greatly reduced rates. Payment was made in kind there being no money, usually in the form of baubles called *chuchumates*,—glass beads, cheap knives and awls or a few fistfuls of low grade tobacco.²⁸

Frequently the officials made no pretense of paying, frankly extorting the maize. In July 1749 Fray Juan de Lezaún at San Felipe saw the alcalde and the lieutenant of the presidio remove one hundred and sixty-five fanegas of corn by order of the governor. The Indians carried it to Santa Fé, but received no payment. At Ácoma the Indians were forced by the alcalde, Antonio de Ruyamor, acting again under Governor Cachupín's order, to give up one hundred and thirty-three fanegas of corn, which they grudgingly stored in the convent. In October, 1749, when Governor Cachupín visited Ácoma, he discovered that the corn had been spoiled (*estaba comido de jorgojo*) and ordered the

25. Trigo Report, 1750, B. N., Leg. 8, Doc. 69, Folio 6.

26. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 12.

27. Serrano Report, 1761, Hackett, *Historical Documents*, III, 485.

28. Delgado Report, Hackett, *Historical Documents*, III, 426.

Indians to furnish a new supply. This so enraged the Ácomas that they armed themselves. Governor Cachupín, after his notorious visit to the new missions of Encinal and Cebolleta, returned to Ácoma, where, in the padres' presence, his men forced the Indians to turn over sheep from their corrals, being paid one real for the animals, whose worth was two *belduques*. Those Indians who were unwilling to sell their sheep at such a price were forced to do so. The same thing happened at Laguna. Padre Vermejo attributed the refusal of the Navajo-Apaches at the near-by missions of Cebolleta and Encinal to continue in their intention of becoming Christians to what they saw were the concomitants of Christianity.

The governors, after they had amassed a large supply of corn, blankets, and livestock shipped them to Mexico for sale. In 1750 Governor Cachupín allowed Lieutenant General Bernardo Bustamante to send a shipment of corn, extorted from the needy Indians, to Chihuahua at a time when two years of crop failures had reduced the inhabitants to such straits that they were forced to subsist on toasted strips of sheep skin (*chícharros*) and insects.²⁹

The padres were powerless to stop the injustices of the governor and his minions. When they raised their voices in protest he and the *alcaldes* persecuted and insulted them, heaping upon them false charges certified by suborned witnesses. The governor was able to force the custodian to transfer a crusading padre (an illegal use of Royal patronage) to a quiet out of the way mission, by refusing to certify the yearly *sínodo* estimates. If the viceroy received no certification from the governor the salaries were not sent. In addition to this, recall Governor Cachupín's decree forbidding the *alcaldes* to grant the padres any certificates, thus effectively preventing them from denouncing him or defending themselves outside the Kingdom.³⁰

The "insults, injuries, oppressions and dishonors" that the governors heaped upon the padres until they were so

29. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 8-9.

30. Delgado Report, 1750, Hackett, *Historical Documents*, III, 429-430.

cowed that they could not defend the Indians, do not seem so terrible to the layman, in fact they appear to boil down to a few threats, bad names and protruded tongues. Padre Varo in a sanctimonious vein wrote, "there have been governors who have very nearly gone so far as to strike the padres."³¹ The worst that Governor Cachupín seems to have done was to heap insults on certain padres, brandishing at the same time a cudgel over their heads. He also threatened to banish Padres Ignacio Pino and Andrés García to Mexico, tied over the backs of mules.³² In spite of the fact that the padres had no physical means of protecting the Indians from injustice they seem to have ceased their protests and lost courage too readily.

The padres were quite justified in their complaints that the cruelties, extortions, and forced labors imposed by the secular officials upon the Indians had a disastrous effect on the mission program. An Indian could not be expected to become attached to a religion and a way of life that for him brought nothing but misery and unrecompensed hard work. Consequently, we run across the frequent complaints that many Indians in desperation apostacized, and joined the heathen, confirming them in their idolatry. When Padre Delgado went among the heathen apostates, they in bitter reply to his exhortations, showed him huge scars received at the hands of the alcaldes. Why should they go back to such a life?³³

It is a black picture that the padres give us of the governors and the alcaldes, one that must be considerably overdrawn, yet enough candor and honest evidence remain to justify the conclusion that the Indians bore the brunt of many injustices, and that the padres were their best and most conscientious friends. Because both parties in this bitter struggle took such uncompromising stands, not admitting a single virtue in the opposing camp, and because the vast majority of the available evidence is on the side of the

31. Serrano Report, 1761, Hackett, *Historical Documents*, III, 489.

32. Serrano Report, 1761, Hackett, *Historical Documents*, III, 493-494.

33. Delgado Report, 1750, Hackett, *Historical Documents*, III, 428.

padres, it is only just and significant to cite two of the few available records that show the secular authorities in a more favorable light.

In September, 1742 an Indian from Nambé brought charges against two Spaniards who had invaded his melon patch, given him a beating and made off with six melons. The Spaniards were fined twenty and fifteen pesos respectively.³⁴

In 1753, while Cachupín was still governor, the Indians of San Felipe mission had arranged to buy a tract of land from a Spanish family at Angostura for nine hundred pesos. The alcalde of that district advised the governor that the Indians should be protected against fraud by the appointment of two honest, capable persons to appraise the land in question. Cachupín appointed the appraisers and the result of their investigation proved that the land had been overvalued by three hundred pesos. The governor therefore ordered the sale at six hundred pesos which was done, the Indians paying for the land in cattle, sheep, and buckskins. This incident certainly indicates that Governor Cachupín was fully aware of the customary methods used at the time to defraud the Indians, and was determined to prevent unfair procedure.³⁵

These are not unique cases, and indicate that sometimes the governors and alcaldes did have the interest of the Indians at heart.

CHAPTER VI

THE PREDATORY NOMAD

Interwoven with the many-sided Church-State conflict and of vital concern to the welfare of the missions was the relation of the secular authority with the heathen nomads. This relation was of a dual nature, positive and negative, with the emphasis on the negative side. The chief task of the governor in his capacity as captain general of the Kingdom

34. Twitchell, *Spanish Archives*, II, 212.

35. Twitchell, *Spanish Archives*, I, 401.

of New Mexico was to protect the missions, and thereby hold Spain's frontier from the attacks of the wild Indian. We have seen that at Santa Fé was stationed one of the two presidios in the Kingdom, the nearest other being four hundred miles south at El Paso. This garrison consisted of eighty soldiers, certainly a ridiculously small number to protect so vast an area against a very formidable and numerous foe.

With the exception of the Moquis, the Pueblo Indians after the completion of the reconquest in 1696 ceased to be a military problem. Experience had taught them the futility of fighting the Spaniards. The enemy lay without. The eighteenth century, as no previous period in the history of New Mexico, was one of almost constant warfare between the Spaniards and the nomad enemies—the Apaches, the Navajos, the Utes (Yutas) and in particular the Comanches. In the middle of the eighteenth century there seems to have been very little trouble from the Navajos and Apaches, the enemy par excellence being the Comanches and to a lesser extent the Utes, who often joined the Comanches in their plundering.

That the presidial soldiers succeeded in holding their own against the nomads is indeed an amazing feat. It is true that they were re-enforced by the Spanish vecinos and Indian levies from the missions, but this handful of men was the core of the military power of the Kingdom. The argument might be raised that Cortés and Pizarro conquered powerful, aboriginal empires, peopled with thousands of warriors, with not many more men than the governor had at his disposal at Santa Fé. This is very true, but it must be remembered that these two conquistadores, not to detract one bit from their amazing achievements, owed their success in large part to superior weapons, to that terrible beast, the horse, and to the enemy's superstitious fears upon which they were able to capitalize. On the other hand, the presidial soldier in Santa Fé had neither a material nor psychological advantage over his clever enemy. Mr. A. F. Bandelier sums up the situation very thoroughly:

The savage Indians grasped the utility of the horse and of firearms with much greater vigor than sedentary tribes, and the complaint is often heard that the Apaches as well as the Comanches were better armed and better equipped than the few Spanish soldiers, who pretended to defend New Mexico against their incursions!¹

The Comanches were master fighters. Using guerrilla tactics, extremely mobile on their swift, hardy ponies, armed with up-to-date firearms, they struck suddenly and disappeared before the soldiers at Santa Fé could saddle their horses. Unlike the Incas and the Aztecs they indulged in no suicidal frontal attacks in mass formation, but fought by surprise attacks, ambushades, cutting down small detachments, and raiding isolated Spanish settlements and outlying missions. As an indication of the desperate straits to which the Spaniards were reduced by the Indian menace, in 1770 the Feast of Our Lady of Victory was established in which public prayers were offered, and a religious procession wound through the streets in an appeal for aid against the enemy.²

In view of the overwhelming odds facing the military power its achievements were quite laudable. The Indian menace was by no means ended in this period nor for that matter until long after the United States had taken over the Southwest,³ but the governors were constantly despatching or leading expeditions to punish the nomads. That the fighting was marked with the traditional Spanish ferocity was

1. Adolf F. Bandelier, *Investigations in the South West*, part I, 212, appearing as a footnote in Twitchell, *Leading Facts*, I, 440.

2. "Information communicated by Juan Candelaria of this Villa de San Francisco Xavier de Albuquerque, Born 1692—Age 84," *NEW MEXICO HISTORICAL REVIEW*, July, 1929, 296-297.

3. Several years ago, while I was working at a cattle ranch in San Miguel County, in north central New Mexico, I heard a vivid echo of those once terrible Comanche raiders. I was riding with a fine, gray haired Spanish American, whose family had lived in that locality for centuries. As we approached a group of weathered, sandstone boulders, standing grotesquely in the rolling prairie, he reined in his horse and pointed to them saying that there his grandfather and thirty other Mexican sheepherders had been surprised and slaughtered by marauding Comanches from Oklahoma Indian territory. This incident occurred a century later than the period that we are considering, and New Mexico was flying the flag of a powerful Republic!

certainly true, for, on March 21, 1741, Governor Mendoza issued a decree prohibiting the pillaging of the settlements of savage Indians when they were occupied by defenseless women and children during the campaign. That this decree was disregarded is indicated by the issuance of a similar decree on May 30, 1744 by Governor Codallos, prohibiting cruelty to defenseless women and children of the hostiles.⁴

In June, 1746 the Comanches raided the Pueblo of Pecos, killing twelve inhabitants, and also committing depredations at Galisteo and elsewhere. The popular clamor for military action caused Governor Codallos to ask for increased powers. After the inevitable reports and investigations the viceroy granted the necessary authority. In October, 1747 Codallos, with over five hundred men, including presidial soldiers, Spanish colonists, levies of mission Indians and Indian allies, came upon the Comanches and some of their Ute allies north of Abiquiú, and won a decisive victory. The governor reported the capture of two hundred and six enemies, one hundred and seven more having been killed. Four of the captives were shot and nearly a thousand horses captured. In January, 1748 Codallos, with a smaller force repulsed the Comanches at Pecos, although his Indian allies suffered some fatalities.⁵

Governor Codallos' successor, Tomás Cachupín, was also an active campaigner. In 1751 he marched against the Comanches, who had raided Galisteo mission. With one hundred and sixty-four men behind him he caught up with the Comanches and drove one hundred and forty-five of them into a *tular* to which he set fire. One hundred and one Comanches perished in the smoke and flames, and the balance were taken prisoners. Keeping four hostages, Cachupín released forty of the captives to join their women and children. This spectacular victory was gained with only one fatality to the Spanish force. Cachupín's success brought him

4. Twitchell, *Spanish Archives*, II, 212-213.

5. Bancroft, *History of New Mexico*, 249.

the congratulations of the viceroy, who reported the victory to the King.⁶

These victories as reported by the governors seem quite impressive, and the viceroy must have felt that his subordinates were sparing themselves no effort or danger to defend that distant Spanish outpost from the attacks of the nomad Indians. However, the viceregal confidence in the truth of the gubernatorial reports must have been severely shaken by the very upsetting and contradictory reports that reached him from the missionaries in New Mexico.

In the eyes of the padres a consistent, wise, just and vigorous policy towards the nomad gentiles was necessary on the part of the secular authority of the Kingdom to ensure the welfare of the missions and the Spanish settlements. Franciscan reports from New Mexico not only charged the governors with gross neglect of their military duties, the reporting of expeditions and victories that had no basis in fact but with injustice and cruelty in their treatment of the soldiers, and, even worse, of directly furnishing the enemy with arms and supplies.

In order to understand the nature of this charge of gubernatorial connivance with the enemy it is necessary, briefly, to consider the economic life of the Kingdom. Agriculture and stock raising were the principal sources of livelihood for the Spanish colonists. The *vecinos*, for the most part were small farmers, raising their crops and fruits in narrow fields in the bottoms of rock-bound canyons, where irrigation was possible. They had considerable numbers of horses, mules, cattle, sheep, goats and other livestock. Mining and the manufacturing industries were of minor importance. Money was practically non-existent, and barter economy reigned supreme in this isolated, self-sufficient Spanish outcropping.

Commercial relations with the rest of New Spain amounted to but a trickle. In Padre Varo's report of 1749 he placed the total annual trade between the El Paso region

6. Bancroft, *History of New Mexico*, 256.

and up-river New Mexico at only two thousand six hundred pesos. Piñons, skins, cotton and woolen mantas, livestock and some food stuffs were sent south to El Paso and the mines of Chihuahua and there bartered for the crops, wine, and *aguardiente*.⁷

Although the extent of the trade between Spaniards of northern New Mexico and those of southern New Mexico and Nueva Viscaya was sluggish and insignificant, there was a buzz of activity in the north with the nomad Gentiles. These nomads, especially the Comanches, would come frequently from the Great Plains to the missions and Spanish settlements to trade, bringing prisoners of war, many of them boys and girls, buckskins and buffalo skins and meat. These they traded for things that they were eager to get—horses, knives, tools and firearms—all of which they effectively turned against the Spaniards on the next raid.

According to the padres, the governors and the *alcaldes mayores* not only encouraged this commerce but succeeded in monopolizing it to the great detriment of the Kingdom. Although bands of nomads came frequently to trade at the various Spanish settlements and missions, the most important event was the annual Taos fair. Every summer the nomads, particularly the Comanche nation, gathered at this northern mission in the vicinity of which was a considerable Spanish population.

These fairs must have been exciting, eagerly-awaited events in the monotonous, sluggish, life of that remote province. The news of the advent of the Comanches was noised up and down the river valley causing a flutter comparable to that of the arrival of the annual fleet at Vera Cruz. The governor and his minions gathered together all manner of goods to barter; horses, axes, hoes, awls, wedges, picks, bridles, *machetes*, knives of all kinds, powder and firearms. Although the *vecinos* and other mission Indians also attended, the governor and his "machine" controlled most of the goods to be bartered. The nomad encampment—hun-

7. B. N., Leg. 8, Doc. 57, Folio 4.

dreds of tepees blooming on the gray Taos plain at the foot of the turquoise-blue *Sangre de Cristo* mountains, may very well have reminded the Franciscan chronicler of the sails of the *flota* as it approached Vera Cruz.

The fair in full swing was a vivid, strange, barbaric sight—the heat of the sun; the dust of countless hooves, boots and moccasins; the reek of men, animals and skins; the confusion of tongues; the tenseness of the atmosphere, Spaniards and Indians suspiciously bent on driving a hard bargain, yet with one eye on their weapons; and the thin blue wisps of smoke rising from the countless cooking fires. The nomads offered buffalo meat, skins and (most valuable to the Spaniards) slaves of both sexes and all ages. The Spaniards by their greed and quarrelsomeness often brought the nomads to the verge of bloodshed. On one occasion hostilities were already starting when a padre intervened and managed to restore peace. The saddest and most revolting part of this spectacle was the treatment of the female slaves. Openly, in the sight of all, before delivering them to the Spaniards the warriors proceeded to rape all those of any size, delivering the poor wretches to their new masters with an insolent grin saying, “Now you can take her—now she is good.”⁸

The padres naturally opposed this commerce with the enemy nomads. The governor and his officials by encouraging this trade, were supplying the enemy with the means of destruction. It is true that the nomads obtained some firearms from French traders in the east, and that the French occasionally appeared in New Mexico. In 1739 a small party of French traders visited Santa Fé, and in 1747 another party of thirty-three Frenchmen sold firearms to the Comanches on the Río de Jicarilla north of Santa Fé.⁹ However, the padres were quite right in saying that the gov-

8. Based on the account of Padre Andrés Varo, 1751, included in the Serrano Report, 1761, Hackett, *Historical Documents*, III, 486-487.

9. Twitchell, *Leading Facts*, I, 438 and 440. For further information on French activities in New Mexico in this period see H. E. Bolton, *French Intrusions into New Mexico, 1749-1752*, (New York, 1917).

ernors were turning a suicidal knife on the missions and Spanish settlements by their commercial policy with the nomads. In 1748 a junta, dominated by the governor and his officials was called to determine whether or not the Comanches should be permitted to continue to attend the Taos fairs. A decision was reached favoring the continuance of the practice in spite of the opposition of the custodian.¹⁰ This trade with the enemy of the faith was clearly illegal, being contrary to Apostolic Bulls and royal decrees.

The governor by his monopoly of the trade kept prices abnormally high. Merchants and dealers from Mexico had no incentive to come to New Mexico, where they would have encouraged immigration, brought in capital and developed the province. As it was, the commercial privileges were divided between a small official clique and the nomad enemies, and the province remained poor and underdeveloped.¹¹ As Padre Varo expressed it, "These textiles [*mantas* woven by the mission Indians], antelope and buffalo skins are the principal object and attraction of the governors. They are the rich mines of this Kingdom."¹²

The padres denied the charge of the governor that they engaged in trade. The only trade in the Kingdom being that with the gentiles, it was ridiculous to accuse them of commerce, forbidden by Papal Bulls and condemned by their own preaching, commerce which would boomerang on the very missions for whose welfare they were devoting their lives.¹³

The governors with their eagerness for Indian slaves and buffalo skins followed no consistent, vigorous policy of punishing the nomads for their raids. The clever Comanches grew increasingly audacious enjoying immunity when desirous of trading, and being free to turn around and raid a place where a few weeks before they had peacefully bartered.

10. Bancroft, *History of New Mexico*, 249-250.

11. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 28, Folio 10.

12. Varo Report, 1751, B. N., Leg. 9, Doc. 17, Folio 16v. "Estos textidos, gamuzas y síbolos es el principal objeto y atractivo de los Gobernadores. Son las minas ricas de este Reyno."

13. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 3.

The Franciscans not only charged the governors with willfully neglecting their military duties and abetting the enemy, but labelled them as incapable, cruel and corrupt commanders. The governors were drawn from the commercial and courtly class having had little military training. Lacking experience in the art of Indian warfare they usually ignored the advice of their captains, sergeants and alférezes, men who had been taught how to fight the nomads by bitter experience. The commissions (*plazas*) of capable men were withdrawn if they opposed the governor and ranks were filled with green and pliable boys. Campaigns were expensive, tedious and destructive, and the governors preferred to spend the time amassing a fortune. If they did go on campaigns they were only short-lived, half-hearted affairs, from which they returned with wildly exaggerated tales of success. If anything was accomplished against the barbarians it was by the private efforts of the poor but valiant Spanish vecinos.¹⁴

The soldiers, settlers and Indians who were drafted for military campaigns could not be expected to fight with enthusiasm for cruel governors. The soldiers were greatly overworked and underpaid. These eighty men, paid for the service of his majesty, were used as eighty personal servants in the interest of the governor and led a wretched existence. The lieutenant of the presidio assured Padre Vermejo that the soldiers received only about one hundred pesos of the legal four hundred peso salary. This fraction they received in goods, not what they needed or wanted but what the governor chose to give them.¹⁵

Another interesting variation of gubernatorial injustice and speculation was in the allocation of cavalry mounts among the soldiers. Vermejo and other padres witnessed such a distribution by Governor Cachupín. He forced upon the soldiers the sorriest nags, for which they had to pay him twelve *pesos de plata*. This amount was pure profit, for

14. Serrano Report, 1761, Hackett, *Historical Documents*, III, 490-491.

15. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 9v.

the Crown supplied the horses. As a result of being mounted on culls, a brave sergeant and two soldiers, "the best lads in the Kingdom," were killed by the Apaches.¹⁶

Padres Vermejo and Lezaún cited other examples of Governor Cachupín's evil nature. Early in 1750 Cachupín was advised by trustworthy reports of the advent of a large band of Comanches from the south and east. He was told that they always came by way of Galisteo and Pecos on their way to Taos, and would either trade or attack as the situation permitted. The governor ignored the warning and proceeded directly to Taos with his soldiers to meet the Indians. As a result Galisteo mission, left unguarded was attacked and ten mission Indians were killed. In October, 1750 the Apaches came twice to trade. The governor knew very well that the mules that they brought to exchange were stolen from Spaniards around El Paso, yet he permitted them to complete their business unmolested.¹⁷

The iniquity of Cachupín's predecessor, Joaquín Codallos 1743-1749, in the matter of mission defense and Indian commerce reached breath-taking proportions, according to the Franciscan reports. In August, 1747 the Comanches raided the town of Abiquiú, on the Chama river northwest of Santa Fé, killing a girl, an old woman and carrying off twenty-three women and children. Custodian Mirabal at San Juan reported the disaster immediately to Governor Codallos, who ignored the report. Under the pressure of another letter from Mirabal and aroused public opinion, Codallos finally sent soldiers in pursuit. The Indians had a lead of four days, and the soldiers were unable to catch up with them. In the meantime the irate vecinos of Abiquiú organized a posse of their own. Following the Comanche trail they found three dead women and the body of a newly born child. Seven years later one of these women was returned by the Comanches.¹⁸

16. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 10. A *peso de plata* had twice the value of a *peso de tierra*, which was the local unit of value.

17. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 7v.

18. Lezaún Report, 1760, Hackett, *Historical Documents*, III, 477.

An even more sensational charge against Governor Codallos was made by the padres. Just before the end of his term he appropriated all the powder in the presidio and sent it to Chihuahua to be sold. His successor Cachupín and the presidial inspector Ornedal were perfectly aware of this, but did nothing to remedy the situation. The Kingdom of New Mexico remained powderless for a year while predatory nomads robbed and killed on all sides!

Equally amazing and far more ironic was Codallos' order to have the stone mortars (*pedreros*) that were at Galisteo dismantled, knives and awls being fashioned out of the metal parts to trade with the nomad enemies. The Comanches hitherto restrained on account of the awesome cannons promptly attacked the unprotected pueblo, killing a number of its inhabitants.¹⁹

One last and dramatic episode of the numerous ones available will suffice to illustrate the seriousness of the Indian menace and the culpable failure of the governors to protect the Kingdom. During the same administration of the public spirited Governor Codallos the Indians of Pecos came to Santa Fé and asked permission to go eastward on the buffalo plains "into the land of the Comanches (*a tierra de los Comanches*)" to hunt. Codallos knew full well the dangerous character of this enterprise, and was advised by competent persons to refuse the permission. However, yielding to his selfish interests, he granted the license with strings attached. Before setting out on their hunt the Indians had to do some carpentry work on the governor's house, and also guarantee to bring him a certain number of buffalo tongues, evidently a great delicacy.

The preliminary stipulations having been settled, nearly the entire pueblo of Pecos started out on this hunt. They had gone only a short distance when disaster befell them. They walked into a cleverly laid Comanche ambush, and over one hundred and fifty of them were killed.

19. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 10.

Immediately on hearing the news of this disaster the lieutenant of the presidio, Don Manuel, with fifty soldiers hurried to punish the Comanches. They likewise fell into a trap in which ten Spaniards were killed, the others fleeing in disorder to the shelter of Pecos pueblo. The Comanches were so formidable because they were supplied with up to date weapons obtained as a result of the criminal greed of the governor.

As a result of this major set back Governor Codallos was forced to exert himself. A force of over seven hundred men was raised to punish the insolent Comanches, a really stupendous army considering the resources of the Kingdom. Our old *amigo* Lieutenant General Bustamante took command of the field. The expedition was accompanied by Padre Agustín de Yniesta, who served as royal chaplain, and it was he who furnished our informant Padre Vermejo with the facts. Several days out, about dawn, while the Spanish camp was still wrapped in sleep, and Lieutenant General Bustamante "was in bed as if he were at his wife's side (*estando en cama como si estuviera a el lado de su muger*)," a group of Comanches silently appeared and made off with one thousand one hundred and thirty-one horses, leaving the Spanish army very much *a pié*. A few soldiers and vecinos who were not caught unawares pursued the enemy, spurred on by the command, under the penalty of death, of the irate and sleepy Bustamante. The chase was futile and the dismounted army ludicrously straggled back to Santa Fé where the soldiers made the most of a bad situation by proudly announcing a smashing victory and repairing to the church to give thanks to God. Shortly afterwards, a group of trading Comanches rode into Santa Fé with smirks on their faces. Mocking the Spaniards, these foolhardy Indians announced that only twenty squaws and ten warriors had accomplished that amazing feat.²⁰ This story that Padre Vermejo told with such sarcastic glee borders so nearly on the ludicrous that it probably must be taken with large reservations, but it is

20. Vermejo-Lezaún Report, 1750, B. N., Leg. 8, Doc. 82, Folio 12v-13.

certainly indicative of the spirit with which the Indian campaigns were conducted.

Out of this welter of claims and counter claims, of assertions of victories and of denials made by the governors and their Franciscan opponents, one can at least get a modicum of truth. We are safe in saying that the menace of the predatory gentiles was very serious at this time; that the military forces of the Kingdom were overtaxed and inadequate; that the enemy nomads were allowed to trade with the Spaniards; that the Spaniards lost and won victories, and that some governors were criminally negligent and incompetent in their military duties. All this is true, but the fact remains that the missions and Spanish settlements survived the ordeal, and this survival could not have been entirely in spite of the governors.

CONCLUSION

The Franciscan missions of New Mexico by 1750 had long since passed through their Golden Era, and were sinking gently into a mellow decline, disturbed only by spasmodic and ineffectual bursts of energy. The padres were looking backward, not ahead, and were content to bask in the after-glow of deeds long passed. While they concentrated on a ceaseless pot and kettle polemic with the secular power, the heathen remained unconverted, the nomad ravaged the land, and the missions vegetated.

TROUBLOUS TIMES IN NEW MEXICO
1659-1670

By FRANCE V. SCHOLES

(Continued)

CHAPTER X

THE TRIAL OF PEÑALOSA BY THE HOLY OFFICE

I

DURING HIS journey to Mexico City in 1664 Peñalosa spent several weeks at Parral where he engaged in various business operations, some of which involved the sale of part of the property that he took out of New Mexico at the time of his departure from the province. After his arrest by the Holy Office a year later, he testified that these transactions amounted to several thousand pesos, but alleged that large sums were still due on account. At the same time he stated that he had sustained a loss of 1500 pesos when a herd of livestock which was being driven to Parral was "dispersed and drowned" at El Paso.¹ Although Peñalosa's testimony cannot be regarded as entirely trustworthy, it would appear that the cash return from a large part of the property taken out of New Mexico was much less than he had anticipated.

On his arrival in Mexico City Peñalosa still had in his possession part of the silver bullion which an agent of López de Mendizábal had brought from Parral in 1660 and a quantity of textiles and other goods manufactured in New Mexico. This property was secretly stored in a warehouse until he could find a purchaser. Apparently his cash was already running low, for he obtained credit for groceries and other supplies worth several hundred pesos from a local merchant, promising to repay him by delivery of the dry goods stored

1. *Proceso contra Peñalosa*; A. G. P. M., Tierras 3286.

in the warehouse. But instead of keeping his bargain, Peñalosa later sold the goods to another party.²

The silver bullion, amounting to 234 marks, was eventually sold for 155 pesos. The Sonora shipment had originally amounted to 393 marks and it appears that the remainder, or at least most of it, had been turned over to Tomé Domínguez de Mendoza in 1663 to defray the cost of his trip to Mexico City to seek revocation of the Parral embargo and to pay attorney fees and other expenses. According to Peñalosa, Domínguez sold the silver but failed to pay the attorney and other persons to whom money was due.³

The proceeds of the sales which Peñalosa negotiated in Mexico City were soon dissipated in reckless living. The inventory of his personal property made after his arrest by the Holy Office in 1665 shows that he possessed household furnishings of fine quality, and that he had a weakness for expensive clothing, richly ornamented weapons, and costly knickknacks. His library contained many works on history, philosophy, law, horsemanship, etiquette and manners, as well as novels and numerous devotional tracts. For a few months he maintained a bold front, and associated with prominent persons in the capital, some of whom were attached to the viceregal court. But by the summer of 1665 he was in debt to his landlord and his tailor, as well as his grocer, and some of his personal possessions were in pawn. Moreover, several obligations incurred prior to his journey to New Mexico in 1661 were still unpaid.⁴

II

Reports and testimony concerning the conduct of Peñalosa in New Mexico had been accumulating in the archive of the Inquisition since the spring of 1663. From time to time the *fiscal*, to whom the papers were referred, had taken a serious view of the situation, but formal proceedings against the accused were not instituted until the summer of 1665.

2. A. G. P. M., Tierras 3286.

3. *Ibid.*

4. A. G. P. M., Tierras 3268, 3283, 3286.

On June 5, 1665, a summary of the evidence, in the form of more than one hundred "propositions, acts, and statements," was submitted to the *calificadores* who certified that many of the charges constituted serious offenses against the Church. An order of arrest was issued by the Inquisitors on June 16, and the next day Peñalosa was taken into custody by the *alguacil mayor* of the Holy Office.⁵ Peñalosa's property was immediately placed under embargo, and a detailed inventory was made by the proper authorities.⁶

The trial started on June 25 when Peñalosa was summoned to give a review of his life history prior to his appointment as governor of New Mexico. The three admonitions were pronounced on June 26, 27, and 30. On petition by the accused two more hearings were held on July 1 and 3, during which he gave testimony concerning various aspects of New Mexican affairs. No further action was taken until October 7, when the *fiscal* presented the formal accusation. This was a lengthy document containing 237 articles, and a second hearing on October 8 was necessary to complete the reading of all the charges. At the end of this trying experience, Peñalosa told the court that he was "overwhelmed by the burden of charges which have been made in this accusation," and he petitioned for a postponement of his reply, "because his head was weary and he had not slept or rested since the presentation of the said accusation the preceding day, and this he requested meekly and weeping." The Inquisitors granted the petition and told him to ask for an audience when he felt rested. After resumption of the proceedings on October 22, seventeen hearings, held at intervals over a period of eight weeks, were devoted to the recording of Peñalosa's defense.⁷

The articles of accusation were intended to prove that Peñalosa had been guilty of opposition to the just and free exercise of the authority and jurisdiction of the Holy Office,

5. *Proceso contra Peñalosa*.

6. The inventory is in A. G. P. M., Tierras 3286.

7. The story of the trial proceedings as given in Section II is based on *Proceso contra Peñalosa*, except as otherwise indicated in the notes.

that he had seriously interfered with the activities of Friar Alonso de Posada, the local representative of the tribunal in New Mexico, and that he had violated ecclesiastical immunity and the special privileges of the Inquisition and its agents. Charges were also made that he had shown general lack of respect for the Church, that he had indulged in heretical and blasphemous speech, and that he had been guilty of gross immorality. But the main purpose of the prosecuting attorney was to demonstrate Peñalosa's hostile attitude toward the Holy Office and its legitimate functions and activities.

Numerous articles of the indictment recorded evidence that Peñalosa had made scornful, disrespectful, and threatening remarks about the Inquisitors. He characterized most of these charges as utterly false, and insisted that he had always recognized the honorable and privileged position of the members of the Holy Office and their preëminent authority in all matters relating to the faith. Instead of scorning the Inquisitors, he had hoped to receive favor from them in the form of a revocation of the Parral embargo. He had said many things in anger, and some of his words had been misinterpreted, but he had never spoken of the Inquisitors in the disrespectful terms attributed to him.

The accusation summarized evidence that on several occasions Peñalosa had asserted superior authority, as governor of New Mexico, over the Holy Office. He denied these charges, and declared that the testimony to support them must have been inspired by the passion of his enemies who had misinterpreted his words and actions. It was true that he had defended civil authority against infringement by the clergy, and that he had stated "that the civil government pertained only to the governor, and the ecclesiastical to the custodian and not to the other friars," but he had always recognized the special position and authority of the Holy Office. For example, his instructions to Tomé Domínguez de Mendoza, whom he appointed to serve as lieutenant-governor at the time of his departure from New Mexico in 1664, contained a

section prohibiting the arrest of any layman by the ecclesiastical judge without invoking the aid of the secular arm, "except in cases of the Holy Office, in which [arrests] could be made on its own authority." He admitted, however, that on several occasions, "conversing with the Father Commissary [Friar Alonso de Posada], he said that the governor in that land was superior to the Commissary of the Holy Office, because such was his understanding; but with regard to the Tribunal, he has not made such a statement, and he knows the superiority it has, and the respect and veneration it deserves." It was also true that he had remarked that if there was a tribunal of the Holy Office in New Mexico, it would be his function to preside during such functions as *autos de fé*. Such statements had been inspired in part by ignorance, and in part by his belief that by virtue of his office as governor and as representative of the king, he enjoyed, in relation to the Holy Office and its representatives, the same privileges and position that the viceroy held in New Spain. The Inquisitors promptly pointed out that apparently he had an exaggerated idea of his authority in this respect, noting that although the viceroys were given a place of honor in *autos de fé* and other functions of the Holy Office, "this was merely a courtesy granted to the person who represented His Majesty," and that the viceroys had no authority to intervene in Inquisition cases. Moreover, it was sheer presumption for him to expect honors equal to those of a viceroy, "when he was merely governor and captain general of fifty men, [comprised] of the dregs of the earth, mestizos, mulattoes, and foreigners." The plea of ignorance was no excuse for his pretensions, for, if he had been uncertain of his proper authority in Inquisition matters, he should not have dared to advance such views. But since he had done so, it was obvious that it was for no other motive except "diabolical pride . . . the crime of Lucifer and of all heretics."

Peñalosa also denied charges that he had adopted a threatening attitude toward Juan Manso and that he had made disparaging remarks about Manso's position as *alguacil*

cil mayor of the Holy Office. He cited cases to prove that his relations with Manso had been friendly, and in view of what is known concerning his actions relative to Manso's litigation with López de Mendizábal, we may accept most of his testimony on this point at face value. Peñalosa testified, however, that he had been in some doubt concerning Manso's appointment as *alguacil mayor*, in view of the fact that he understood that such appointments were made only in the place where the tribunal resided and that orders had been given to revoke the appointments of persons who had held that office.

Several articles were based on evidence that the defendant had interfered with dispatches of mail sent by López de Mendizábal to the Holy Office. The specific cases cited were (1) his seizure of papers from Francisco Gómez Robledo and Juan Lucero de Godoy at Zacatecas in 1661, (2) his arrest of Toribio de la Huerta, the messenger whom López wished to employ later in that year, and (3) his inspection of letters that López gave to Francisco Domínguez de Mendoza, who was sent in place of Huerta.

Peñalosa freely admitted that he had taken possession of the dispatches entrusted to Gómez and Lucero, but he insisted that this had been done with their consent. When the package was opened after his arrival in Santa Fé several weeks later, he had forwarded all dispatches addressed to the tribunal without unnecessary delay.

His testimony concerning the case of Toribio de la Huerta is very interesting. According to depositions made by López and several other witnesses, Peñalosa, after granting permission for Huerta to go to Mexico City, arrested him on trumped-up charges and held him in jail for several months in order to prevent unfavorable reports from reaching the viceregal capital. In his reply to these charges, Peñalosa gave other reasons for his detention of Huerta. He testified that he had not only granted written permission for Huerta to depart, but had told him verbally that he welcomed the plan because of complaints that had been made

about Huerta's misconduct with a certain married woman. Instead of leaving immediately, Huerta spent several days with the woman in question, boasting that he did so in order to irritate the governor. Consequently, Peñalosa ordered his arrest. Then, while the prisoner was still in custody, criminal action was brought against him on the charge that he "had flayed an Apache Indian servant who had died, and that he had ordered the skin tanned, saying that it was strong enough to be made into a doublet." The governor discussed the case with several friars, "inasmuch as there were no lawyers there," and decided to send Huerta to the *sala del crimen* of the *audiencia* when the next mission supply train returned to New Spain. But when the time came for the departure of the carts in 1662, Huerta pretended illness, and at the request of third parties he was moved to the house of the local jailer. From there he escaped and made his way to New Spain.

The Inquisitors viewed this story with considerable suspicion. They asked Peñalosa why he had not imposed immediate punishment for Huerta's crime, since there was no doubt of his guilt, and they also questioned his motives in permitting the prisoner to leave jail, for if it was necessary to send him to Mexico City, the plan should have been carried out even if he had died on the way. Peñalosa countered these observations by asserting that he did not know the penalty prescribed for Huerta's crime, and that if he had hanged him it would have caused greater difficulty, "for even the imprisonment in the Casas de Cabildo of a citizen of that land, on the charge of assault, is regarded as an excess on the part of the governor." He had permitted Huerta's removal to the jailer's house because he did not wish to run the risk of being accused of responsibility for the prisoner's death if he failed to recover from the illness, which several persons certified to be genuine. These excuses caused the Inquisitors to make some very caustic observations to the effect that good governors are not afraid to take risks, even in the face of threats, in order to secure justice, whereas those who are

not inspired by motives of justice take office "merely to rob and to be hucksters, and do not merit the name of governors."

In reply to the accusation that he had opened dispatches that López entrusted to Francisco Domínguez de Mendoza, Peñalosa testified that Domínguez had offered to show him the papers in return for a suitable consideration, and that being desirous of learning the nature of López' complaints he had accepted the deal. Three or four letters addressed to persons in New Spain, of which one was for a member of the Holy Office, had been opened and read. Later on it had become clear that Domínguez had acted on instructions from López, who used this stratagem to conceal the true character of Domínguez' mission.

Article 76 of the indictment alleged that Peñalosa had seized and read all the mail that came from New Spain for Posada, and had withheld delivery of various dispatches from Posada's prelates and other persons. In reply to this accusation he declared that he had opened and retained only one letter, sent by the Franciscan Commissary General in Mexico City, and that he had done so in order to learn whether the said Commissary General had complied with his request to remove Posada from office. This testimony provoked sharp comment by the Inquisitors, who asked him whether he had gone to New Mexico with an appointment as governor, or as "collector" of letters. Peñalosa meekly replied that in seizing the dispatch from the Commissary General, he had been at fault, "being so blind . . . that he did not realize that it was wrong."

Thirteen articles contained charges relating to the controversy with Posada over the *encomienda* revenues of Diego Romero, Francisco Gómez Robledo, and Cristóbal Anaya. Peñalosa defended his action in appointing *escuderos* to take the place of the arrested *encomenderos*, despite the opposition of Friar Alonso de Posada, but he was obliged to admit that in the case of the *encomiendas* of Gómez and Romero the titles of *escudería* had been made out in blank and that the persons who actually served as *escuderos* were two per-

sonal retainers. He also testified that in these cases, as in that of Anaya's *encomienda*, for which Francisco de Anaya the Younger was named *escudero*, the tributes that were collected had been held at the Casa Real in Santa Fé, and that prior to his departure from New Mexico in 1664 he had not turned over to the *escuderos* even the half-portion they were supposed to receive. He defended his retention of the tributes on the ground that he was waiting for a decision on this vexed question by the authorities of New Spain. In a separate deposition made on December 1, 1665, he testified that before leaving the province in 1664, he had sold the *mantas*, hides, etc. obtained in this way, and admitted that he was liable for the net proceeds, after deducting debts owed him by the families of Gómez, Romero, and Anaya.⁸

The *fiscal* also sought to prove that Peñalosa's conduct at the time of the arrest of López de Mendizábal by Posada in August, 1662, was inspired by deliberate intent to impede the jurisdiction of the Holy Office. Thus the indictment alleged (1) that during a secret conference with López' wife, Doña Teresa de Aguilera, he had warned her of the impending arrest and offered to take charge of López' property in order to forestall an embargo in the name of the Holy Office, and (2) that he had refused to permit execution of the order of arrest until Posada had complied with certain demands.

The defendant protested that at the time of the conference with Doña Teresa he did not know that an order for the arrest of López had been received and that consequently there could be no truth in the charge that he had warned her and had offered to receive property for safe-keeping. The real purpose of the conference was to urge an immediate settlement of pending litigation between López and Juan Manso. Although there is other evidence to confirm Peñalosa's statement that the Manso litigation was discussed, the remainder of his testimony does not ring true. Dispatches from the Holy Office had passed through his hands prior to the conference, and although it may be true, as he alleged, that he

8. A. G. P. M., Tierras 3236.

promptly forwarded them unopened to Posada, he must have suspected that they contained the decree of arrest. For some time it had been anticipated that the Holy Office would take action against López, especially after the arrest of Aguilar, his chief aid in carrying out policies contrary to the interests of the Church. Moreover, in view of Peñalosa's attitude toward López up to that time, it was unlikely that he would fail to seize the opportunity to lay his greedy hands on more property if López would connive with him to thwart the Holy Office. Thus there is little reason to doubt the positive testimony of Doña Teresa, as summarized by the accusation, that Peñalosa actually gave her warning and that he proposed the handing over of property. Comment by the Inquisitors during the proceedings shows that they were convinced of his guilt on this point.

Peñalosa admitted that he had forced Posada to comply with certain formalities prior to execution of the order of arrest, but sought to excuse his action by calling attention to extenuating circumstances. The sentence of the *audiencia* in López' *residencia* had been delivered by the same messenger who brought the dispatches from the Holy Office, and it was the governor's duty to execute its provisions. According to the terms of the sentence, López was forbidden to leave the province until he had satisfied the claims approved by the *audiencia* and certain other conditions. Because of this order, Peñalosa was not sure what action he should take regarding the impending arrest of the ex-governor by order of the Holy Office. After consultation with Father Freitas, he decided to ask Posada to file a written statement, or *requerimiento* for custody of the prisoner. On the night of the arrest he had some argument with the prelate concerning the need for such procedure, but the latter finally acceded to his demand. Peñalosa affirmed that his action was not inspired by any desire to question the superior of the Holy Office, but "to satisfy the royal *audiencia*." It is clear that Peñalosa faced a difficult problem, and that he had to make a decision without the aid of expert legal advice. Under ordi-

nary circumstances his insistence upon a written statement by Posada would probably have evoked little criticism, but in the light of Peñalosa's conduct both before and after the arrest, his demand was naturally regarded as additional evidence of intent to impede the free exercise of authority by an agent of the Holy Office.

As further proof of Peñalosa's efforts to oppose the authority and jurisdiction of the Inquisition, the indictment cited (1) his hasty seizure of a large quantity of López' goods a few hours before the arrest, and (2) his refusal to suspend proceedings for execution of the *residencia* sentence and other litigation that was in progress at the time of the arrest.

Peñalosa defended the seizure of López' goods on the day of the arrest on the ground that it was an embargo to guarantee the payment of *residencia* claims and fines. But from the standpoint of the Inquisition, the crucial point was not the technical legality of such an embargo, but its intent. It was obvious that the real purpose of such hasty action, after Peñalosa had positive knowledge of Posada's plans, was to seize property which otherwise would have fallen into the hands of the Holy Office.

With regard to the question of litigation in progress at the time of the arrest, it was the contention of the *fiscal* that the arrest automatically removed López from civil jurisdiction, and that the proceedings should have been suspended immediately. In his reply, Peñalosa asserted that it had been his belief that inasmuch as the litigation had been initiated prior to the arrest, suspension of the proceedings was not required. Resort to technical arguments of this kind was dangerous, however, because the question raised a point of law and procedure concerning which he had little technical knowledge. Moreover, the Inquisitors were likely to challenge his competence to pronounce an opinion on an issue involving the scope of authority and jurisdiction pertaining to the Holy Office. It was obvious, of course, that he was merely trying to conceal the fact that his real motive for

continuing the litigation was self interest. It had been his purpose to come into possession of the bulk of López' property, and the proceedings for execution of the *residencia* sentence and the litigation instituted by Juan Manso for settlement of claims provided an opportunity to achieve that end. When called upon to answer charges that the auction of López' property held in September, 1662, at the end of all the litigation, had been characterized by fraud, and that some of the claims certified by the *residencia* sentence were never paid, Peñalosa tried to make certain explanations and excuses, but in the end he confessed that the auctions were "mal hechos," that third parties had acted as his agents in purchasing a large part of the property, and that adjustment of some of the *residencia* claims and costs were also characterized by collusion and fraud.

Numerous articles of the accusation cited evidence to show that Peñalosa had persistently refused to comply with Posada's edicts calling upon all persons who possessed any of López' property to produce it under penalty of excommunication. The defendant tried to justify his conduct by resorting to arguments of dubious validity. He protested that López was no longer the legal owner of the property at the time of his arrest by the Holy Office, inasmuch as it had been sold or embargoed to pay debts and the salary of guards, or to satisfy claims. He also testified that he had consulted two friars, Freitas and Guevara, who had advised him that under the circumstances he would not be subject to the penalty of excommunication imposed by Posada's edicts. Moreover, there was no basis for the claim that property under embargo, but not sold, at the time the edicts were published was actually in his possession. It was in process of litigation! Such arguments naturally carried little weight with the Inquisitors. There was too much evidence to prove that both before and after the edicts Peñalosa had employed fraud, conspiracy, and force to obtain possession of the goods of his predecessor. Technical arguments about title or the status of the property in litigation were merely ex-

cuses intended to cloud the issue. Before the trial ended Peñalosa realized that it was futile to deny the facts, and he confessed that he had resorted to measures of dubious legality and, in some cases, outright confiscation in order to acquire a large part of López' goods.

The accusation also described in considerable detail Peñalosa's conduct after he received the news that the goods and livestock sent to Parral for sale in 1662 had been embargoed by Juan Manso on orders from Father Posada. Peñalosa admitted that he had been roused to great anger and that he had sent Posada a bristling letter of complaint. To quote from the record: "It is true that he wrote such a letter, and that, as this defendant has already declared, he always believed that his position was superior to that of the Father Commissary, and that, in view of the resentment caused by news of the embargo, it is surprising that he did not write in more extravagant terms." He also said evil things about the prelate and urged several friars to write letters denouncing his conduct to the Franciscan Commissary General. So great was his anger that he even used menacing language against Posada and his notary, Friar Salvador de Guerra. It was not true, however, that he had threatened to gibbet them or do them other bodily injury.

The arrest and imprisonment of Posada by the governor in the autumn of 1663 constituted a clear case of violation of ecclesiastical immunity and the special status of an agent of the Holy Office, and the *fiscal* naturally made the most of it. It was futile, of course, for Peñalosa to deny the essential facts. He told the court that blind passion had caused him to decide to expel the prelate from the province and "that he could not find words to discuss the case which had caused him such grief and shame." But his grief and shame did not prevent him from offering certain excuses for his action, and wherever possible he challenged the accuracy of the evidence, alleging that it was either false or highly circumstantial in certain details. He alleged that the arrest of the prelate had been inspired in part by certain things that

he had read in Solórzano's *Política Indiana* and by the advice and counsel of Freitas and other friars. He protested that he had made no veiled threat to hang Posada, as one article of the indictment alleged, insisting that such a charge was based on gross exaggeration and misinterpretation of certain things he had said to Posada as they travelled from Pecos to Santa Fé on the night of September 30-October 1, 1663. And the reports that he had made boasting remarks about hanging the Supreme Pontiff were completely and utterly false. In similar manner he denied other charges, or challenged the interpretations that witnesses had given to his actions. But no amount of explanation and argument could absolve him of responsibility on the major charge that he had been guilty of deliberate and brazen violation of ecclesiastical immunity and privilege.

The remainder of the indictment summarized evidence concerning his immoral conduct, his general lack of respect for the clergy and the ceremonial of the Church, as illustrated by various incidents, and his habit of indulging in scandalous and blasphemous speech. He admitted that many of these charges were true, although he alleged that exaggerations or distortions of facts characterized part of the evidence.

Having received all of the testimony in reply to the articles of accusation, the tribunal, on December 22, 1665, appointed an attorney to advise the defendant during the remainder of the proceedings. The trial record to date was read to the attorney during three hearings in January, 1666, and at two more in the following May. During the spring and summer of 1666 Peñalosa was in ill health, and on at least one occasion a local physician was summoned to attend him. This may have been one cause of the long delays in the trial during that year. The "publication of the witnesses" was not made until November 23, and the defendant's replies were received during five hearings held between that date and December 15. During this phase of the proceedings Peñalosa gave very little new testimony, for on almost every

point he merely referred to his depositions in answer to the articles of indictment.

The case was now ready for decision, but more than a year elapsed before sentence was pronounced. During this long period of waiting Peñalosa grew increasingly impatient and restless. On May 10, 1667, he protested to the tribunal that he had already been in jail for twenty-three months and that he was in poor health, that his cell was damp, and that he was suffering from rheumatism and nervous tension. Again on August 1 he petitioned for a hearing in order to ask to have his cell cleaned twice a week. A month and a half later he presented a petition asking for fresh clothing, a small crucifix, and portraits of his wife, mother, and brother. The most interesting request made at this time was for two books, one of which was entitled *La Prisión y Muerte del Rey de Inglaterra por el Parlamento*. Perhaps he hoped to find solace and comfort in reading the tragic history of a more famous man, the English monarch Charles I. Or was it his purpose to brush up on English politics in preparation for a fantastic scheme already taking form in his mind? In October he was so ill with fever that the Inquisitor sent a physician to see him. But still the delays dragged on, and it was not until two months later that action leading to conclusion of the trial was taken.

On December 14, 1667, the Inquisitors and their *consultores* met to discuss the case, but no decision was reached. The formal vote was not taken until January 31, 1668. The trial proceedings had proved beyond doubt the guilt of the defendant on many of the important charges. There was some difference of opinion, however, concerning the penalties to be imposed, and it is interesting to note that the most severe penalties were proposed by one of the lay *consultores*. The majority opinion, in which one of the Inquisitors, an *oidor* of the *audiencia*, and the person appointed to serve as representative of the ecclesiastical judge ordinary of the archdiocese of Mexico concurred, was incorporated in the formal sentence pronounced on February 3, 1668.

The preamble of the sentence defined the major offenses that the defendant had committed and cited specific cases to illustrate the same. The most important counts on which a verdict of guilt was found may be summarized as follows: (1) that by word and deed he had shown a "seditious, scandalous, and schismatic" attitude toward the authority of the Holy Office, and had impeded and usurped its jurisdiction; (2) that he had "robbed" property embargoed by the tribunal, having no fear of the censures in the edicts pronounced by Posada; (3) that he had pronounced scandalous errors, injurious to "the keys of the Church and the authority of the Supreme Pontiff," and had proclaimed "evil-sounding doctrines, erroneous dogmas, and blasphemous locutions;" and (4) that by arresting the agent of the Holy Office and proceeding against him and other clergy, he had "abased" ecclesiastical authority.

As punishment for these and other offenses, the following penalties were imposed: (1) sever reprehension in the audience chambers of the Holy Office; (2) participation in a public *auto de fé*, following which a formal abjuration of error should be made; (3) a fine of five hundred pesos; (4) perpetual ineligibility for political or military office; (5) perpetual banishment from New Spain and the West Indies to begin within one month after pronouncement of sentence; and (6) certain devotional exercises for a period of one year.

The *auto de fé* in which Peñalosa participated was held in the convent of Santo Domingo on the same day that sentence was pronounced. His abjuration was made immediately after the *auto de fé*. On the following day, February 4, the formal reprehension was pronounced by the Inquisitors in the presence of various officials and other prominent persons of the viceregal capital. The exact date of Peñalosa's release from the jail of the Holy Office is not recorded, but it was undoubtedly soon after these formalities had been completed. The costs of food and maintenance during the trial,

amounting to 758 pesos, 6 tomines, 6 granos, were made a charge against his property under embargo.

Although the decision of the Holy Office provided that banishment from New Spain and the West Indies should begin within thirty days after pronouncement of sentence, Peñalosa actually remained in the country until almost the end of the year. During this period he lived in great poverty because his property was still tied up by claims that had been filed for settlement of debts, and all of his efforts to have the litigation concluded were unavailing. At one time he was in such need that he had to depend upon the charity of a Dominican friar who gave him a small daily ration. On another occasion the viceroy took pity on him and gave him fifty pesos.⁹

On September 20 the *fiscal* of the Holy Office called attention to the fact that the term for his departure, as fixed by the sentence, had long since expired. He pointed out that the litigation on the claims against Peñalosa's property was likely to drag on for some time—a prophetic observation indeed!—and petitioned the tribunal, therefore, to order Peñalosa to name an agent with full power of attorney to represent his interests and leave the city at once. A decree of the Inquisitors, of which Peñalosa was notified on September 22, ordered his departure within two weeks, and contained instructions for the appointment of a legal agent as the *fiscal* requested.¹⁰ Peñalosa had no choice but to comply, and he immediately began to make the necessary preparations.

Lacking funds and supplies for the journey, he appealed to the Holy Office for saddles and equipment, "because under the cloak of heaven I do not have [the money] with which to buy such things." He also asked for food and a small amount of cash, "for I am so destitute of all natural protection and am forced to live on charity, that I must call upon the mercy and generosity of the Holy Office." The Inquisitors authorized the grant of a few essential items of equipment and one

9. *Ibid.*

10. *Proceso contra Peñalosa.*

hundred pesos for expenses, to be charged against the property of Peñalosa being held in deposit for settlement of claims."

An eight day extension of the time limit was authorized on October 3 but in due course the luckless ex-governor shook the dust of Mexico City off his feet and started for Vera Cruz. On the way he had to rest at Guaxocingo for a few days because he was too ill to mount his horse. He arrived in Vera Cruz in the middle of November but was obliged to wait almost a month for a boat. Finally, on December 11, 1668, he sailed for Havana on a ship in the Armada de Barlovento.¹²

III

The litigation over Peñalosa's property dragged on for many years. The details are dull and uninteresting, but a brief review of the proceedings will serve to illustrate the complete ruin of the schemes for self-aggrandizement that had inspired Peñalosa's activities in New Mexico, and for which he had already received drastic punishment by the sentence of the Holy Office.

At the time of his arrest in 1665 he made a detailed statement of his property. Most of his holdings were in Perú where he owned houses and haciendas, but the Holy Office was interested only in such of his possessions as could be seized and liquidated locally. Aside from his household furnishings, clothing, and other personal effects, which the Holy Office immediately placed under embargo, his local assets were mostly in the form of claims for money due from various sources.¹³

Liquidation of Peñalosa's assets proceeded very slowly. The personal property embargoed at the time of his arrest was finally sold at auction in 1669. The proceeds amounted to a little more than one thousand pesos. After prolonged litigation lasting more than a decade, the Holy Office was

11. A. G. P. M., Tierras 3286.

12. *Proceso contra Peñalosa*; A. G. P. M., Tierras 3286.

13. A. G. P. M., Tierras 3286.

able to collect part of the claims for money due from individuals and other sources. By 1678 the liquid assets on hand amounted to 3580 pesos, after deducting the fine imposed by the sentence of the Holy Office, the cost of food and maintenance for Peñalosa during the trial, and other fees.¹⁴

Immediately after Peñalosa's arrest, his creditors filed claims for unpaid debts totalling several thousand pesos, but settlement of such claims could not be made until after the litigation for recovery of assets had been completed. On April 19, 1678, the Holy Office finally handed down a decision in which it certified certain claims and denied others. The claims that were approved amounted to more than 5500 pesos, exclusive of debts covered in whole or in part by property that Peñalosa had given as security.¹⁵

Inasmuch as the total amount of the claims that were allowed exceeded the available cash assets, only the first four in order of priority were paid in full. A partial payment of 850 pesos was made on account for a claim of 2008 pesos that had been filed by Friar Juan Ramírez, ex-custodian of New Mexico. None of the other creditors received anything.¹⁶

In 1680 Ramírez filed an action for payment of the remainder of his claim from the proceeds of the property embargoed at Parral by Juan Manso in 1662. This move was immediately contested by Doña Teresa de Aguilera. Although more than 6500 pesos, after payment of costs, had been realized from the sale of this property and had been deposited with the *receptor* of the Holy Office, no decision had ever been made concerning the respective shares to be assigned to Peñalosa and the heirs of López de Mendizábal. Even after petitions and counter petitions were filed by Ramírez and Doña Teresa, the Holy Office took no definite action. In 1689, long after the death of both claimants, litigation was still in progress. The final decision is not recorded in the documentary sources now available.¹⁷

14. *Ibid.*

15. A. G. P. M., Tierras, 3268, 3283, 3286.

16. A. G. P. M., Tierras 3286.

IV

When Peñalosa departed from New Spain he was a ruined man. He had been subjected to the disgrace and humiliation of being forced to participate as a convicted penitent in a public *auto de fé*, and he had been declared ineligible for political and military office for the remainder of his life. A part of the property that he had so greedily accumulated in New Mexico had been dissipated, and the remainder of his assets were tied up by litigation. For several months he had been obliged to accept the charity of friends, and when the time came to leave Mexico he had found it necessary to appeal to the Holy Office for travelling expenses. Although it was largely his own fault that he found himself in such an unhappy position it was not in keeping with his character and temperament to admit his mistakes and mend his ways. Bitter resentment undoubtedly filled his heart as the ship on which he had taken passage sailed out of the harbor of Vera Cruz on December 11, 1668.

Where would he go now? He was a fugitive from justice in his native Perú, and he had been banished forever from Mexico and the West Indies. If he went to Spain he would be a marked man, an ex-penitent of the Inquisition whom people would shun and despise. To a man less resourceful and less unscrupulous than Peñalosa the future would have appeared black and hopeless. But adventurer that he was, he determined upon a course of action bolder than anything he had attempted before. He would offer his services to the rivals of Spain in America! It is impossible to determine when he first conceived this scheme. Perhaps it was during the long months of dreary confinement in the jail of the Inquisition, or perhaps it was during his voyage from Havana to the Canaries in 1669. In any case, he arrived in England toward the end of 1669 or early in 1670,¹⁸ having taken a ship from the Canaries.

17. A. G. P. M., Tierras 3268, 3286.

18. In a letter dated June 21, 1670, Manuel de Fonseca stated that Peñalosa had been in England about six months. Archivo de Simancas, Estado, leg. 2544.

The history of Peñalosa's intrigues in England, where he remained until the summer of 1673, and his later activities at the court of Louis XIV in France fall outside the scope of the present story. In each country he made proposals for an attack on the Spanish colonies in North America. It was in France that he presented the famous *Relación del descubrimiento del país y ciudad de Quivira* which purported to be an account written by Friar Nicolás de Freitas of an expedition by Peñalosa to Quivira in 1662. The investigations of Fernández Duro¹⁹ and Hackett²⁰ have demonstrated, however that Peñalosa never made such an expedition and that the *Relación* was a forgery. Although neither England nor France took Peñalosa into service in the New World, his schemes were not without effect. His machinations at the French court were connected with the La Salle expedition to the Gulf Coast in 1685. He was still living in France at the time of his death in 1687.

Thus ended the ingenious career of Diego de Peñalosa, the "creole of Perú," who governed the province of New Mexico from 1661 to 1664. The story of his life will always provoke the interest of students of Hispanic American colonial history. Few of his contemporaries had such a varied career or could cite such widely separated places as La Paz, Lima, Mexico City, Havana, Santa Fé, London, and Paris as the scene of successive stages in their life history. But he was a mere adventurer, unscrupulous and self-seeking, and like so many adventurers his chief weakness was a desire for revenge. It was this trait that inspired the final breach of relations with Friar Alonso de Posada, which was the chief cause of his arrest and trial by the Holy Office, and it was revenge that caused him to spend the last years of his life in traitorous intrigue against his king. As

19. Cesáreo Fernández Duro, *Don Diego de Peñalosa y su descubrimiento del reino de Quivira* (Madrid, 1882).

20. C. W. Hackett, "New Light on Diego de Peñalosa: Proof that he never made an Expedition from Santa Fe to Quivira and the Mississippi River in 1662," in *Miss. Valley Hist. Rev.*, VI (1920).

governor of New Mexico he put selfish interest ahead of service to the community, and widened the breach between Church and State that was threatening the security of the province.

(To be concluded)

INDIAN AFFAIRS IN NEW MEXICO UNDER THE ADMINISTRATION OF WILLIAM CARR LANE

From The Journal of John Ward

Edited by ANNIE HELOISE ABEL, PH.D.

INTRODUCTION

THE LITTLE journal¹ here offered is no pretentious thing. It is merely an office record—and a meager one at that—of the daily happenings in the Indian Office at Santa Fé after William Carr Lane of Missouri² took charge; he having succeeded James S. Calhoun of Georgia³ as governor of the territory of New Mexico and, *ex officio*, superintendent of Indian affairs. Lane did not keep the journal, or memorandum book, personally.⁴ That task fell to the lot of a certain John Ward,⁵ who lived on in New Mexico long after Lane had gone back to St. Louis and who is best remembered for a fairly full statistical account that he gave of the Pueblo

1. Transcribed from the one book in the Indian Office at Washington, labelled, "Records," in which was found, likewise, *The Journal of John Greiner*, edited by me some years ago and published in *Old Santa Fé*, vol. iii (July 1916), pp. 189-243.

2. For biographical data of William Carr Lane, see Ralph E. Twitchell, *Historical Sketch of Governor William Carr Lane*, in *Historical Society of New Mexico, Papers*, no. 20, and Ralph P. Bieber, "Letters of William Carr Lane, 1852-1854," in *THE NEW MEXICO HISTORICAL REVIEW*, vol. iii, pp. 179 *et seq.*

3. Calhoun had long been ailing and, after his daughter Martha died (Calhoun to Lea, January 30, 1852, *Calhoun Correspondence*, p. 471), seems to have broken down completely. (Letter of John Greiner, January 24, 1852, *Journal of American History*, vol. iii, p. 547.) The work of the Indian superintendency he passed on to Greiner and, upon the advice of his physicians, Massey of Santa Fé and Byrnes of the Army (Greiner to Lea, April 30, 1852, *Calhoun Correspondence*, p. 531), prepared to go back to the States, hoping to be able to return in the autumn. That hope must soon have died within him, however; for at some place along the way (possibly at Fort Union, since he left Santa Fé May 6 and lingered to recuperate at Fort Union, Colonel Sumner having kindly put his own house there at his disposal) he had his coffin prepared and for it a use was found before he reached Independence.

4. The Lane diary, edited by Twitchell (*op. cit.*), bears so close a relation to the earlier part of this that it was, presumably, copied from it.

5. One is disposed to wonder a little whether Ward was any relation to Christopher L. Ward of Pennsylvania, who was entrusted, in 1853, with the secret mission of imposing the claim of the Garay grant upon Mexico and who so greatly embarrassed the Gadsden negotiations. For an account of his activities, see Paul N. Garber, *The Gadsden Treaty*, pp. 90 *et seq.*

Indians years afterwards, an account that was embodied in the *Report of the Commissioner of Indian Affairs*⁶ for 1864 and that was used as a basis for Powell's *Census Report* of 1890.⁷

Lane was appointed to the vacant governorship, July 17, 1852, and was inaugurated at Santa Fé, September 13. His Indian duties must have begun forthwith; but the *Journal of Daily Transactions* has no entry before the first of the following month. Colonel E. V. Sumner, who, of his own volition, had been acting as governor,⁸ substituting, to some degree, military for civil authority, and who, for the purpose, had transferred his headquarters to Santa Fé, had gone back to Albuquerque,⁹ while John Greiner, appointed secretary of the territory, in August, was at hand ready to extend to Lane the same efficient service in connection with Indian affairs that he had given to Calhoun, for whom he seems to have had, not only sympathy in illness and in very dire perplexity, but a genuine affection.¹⁰

And Indian affairs were of no small concern in the New Mexico of the time. The Treaty of Guadalupe Hidalgo,¹¹ by various of its articles, had greatly complicated a situation never simple at best and Governor Lane had arrived upon the scene when the dispute about the boundary had reached its most critical stage. In the preceding summer, the legislative branch of the United States government had declared most emphatically against the Bartlett-Condé

6. Pp. 187-199.

7. Vol. x, p. 418.

8. As acting governor, he had also arrogated to himself the chief control over Indian affairs, ignoring the authority that Calhoun had delegated to Greiner. The first exhibition of this came at the time preparations were being made for negotiating with the Southern Apaches (*Calhoun Correspondence*, pp. 542-544). The entire credit for this treaty seems to go to Sumner (Garber, *op. cit.*, p. 31); but does not, historically, belong to him. For the misplaced credit, see also *National Intelligencer*, August 5, 1852.

9. *National Intelligencer*, October 2, 1852.

10. See the many allusions to Governor Calhoun in the Greiner letters ("Private Letters of a Government Official in the Southwest," transcribed by Tod B. Galloway, *Journal of American History*, vol. iii, pp. 541-554).

11. Malloy, W. M., *Treaties and Conventions*, vol. i, pp. 1107-1119; *United States Statutes at Large*, vol. ix, pp. 922-943; *Treaties and Conventions concluded between the United States and Other Powers since July, 1776*, Senate Executive Documents, no. 47, 48th congress, 2nd session.

compromise, notwithstanding that the executive, the Fillmore-Whig administration, had all along given it its endorsement and notwithstanding, too, that it was well known what a strong aversion the Mexican government had to a proposed surrender of the Mesilla valley, coveted by certain American capitalists and promoters because it was supposed to possess the only feasible route for railway communication with the Pacific.¹² Governor Calhoun's stand with reference to the matter was that of the Whigs generally, and, at the risk of incurring great unpopularity, he had declined to proceed as though the valley¹³ were American soil, despite the fact that American citizens had intruded themselves upon it. Quite otherwise was it with Governor Lane, and he lost no time in making himself personally acquainted with the region and in assuring its inhabitants of his support. Traveling was very "agreeable" to him.¹⁴ It brought him relief; but, nevertheless, it was not without significance that the first excursion he made was towards the south and as far as Socorro.

The *Journal*, an Indian memorandum book only, naturally does not reveal anything like what Lane's private correspondence does of his political feelings and bias, yet much can be read between the lines. In the late winter of 1853, he went on an extended journey to the River Gila and he did not return to Santa Fé until April 27, a full two months later.¹⁵

12. As the best secondary authority yet produced on this entire matter, consult Garber, Paul Neff, *The Gadsden Treaty*, University of Pennsylvania Press, 1923.

13. For the history of the Mesilla Valley, showing how there was not a single inhabitant there in 1850 and how Mexicans from Doña Ana had subsequently gone there, thinking to continue thereby as citizens of Mexico and out of reach of American encroachment, see Bartlett, John Russell, *Personal Narrative of Explorations and Incidents*, vol. i, pp. 213-215, and vol. ii, pp. 391-392, *note*. Doña Ana had been selected as a site for one of the United States military posts and, anticipating the erection of *Fort Fillmore*, the country around about had been "pounced upon" by speculators and "covered by the Texan land warrants" (*Ibid.*, vol. i, p. 213). What this latter circumstance might signify can be surmised from the threat earlier made by Texas that if her claim to Santa Fé should be disallowed by the United States government, she would "put on her crown again" (*National Intelligencer*, January 3, 1850).

14. Letter of June 8, 1853, NEW MEXICO HISTORICAL REVIEW, vol. iii, pp. 196-197.

15. A letter to his wife, April 5, 1853 (*Ibid.*, pp. 193-194), indicates that he covered a considerable range of territory on this trip, going first to "the southern part of the Territory," the disputed section, then up to Fort Webster, above the

From other sources it has to be ascertained where he lingered and what he did. On March 13, he issued a *proclamation*¹⁶ against the validity of the Bartlett-Condé boundary line agreement and pronounced the territory in dispute unquestionably a part of New Mexico.¹⁷ A failure to protect *La Mesilla* against the attacks of marauding Indians charged up to the Mexican state of Chihuahua¹⁸ was only an excuse for the peculiar method of his approach; inasmuch as he had long since made up his mind that it might be well "to occupy

16. Garber, *The Gadsden Treaty*, p. 71 and note 42. The newspaper comment upon Lane's action was, in certain instances at least, far from favorable. The *New Orleans Picayune* of April 21, printed the text of the proclamation with remarks of which the following is an extract:

"Governor Lane is not the man to back out of any position he takes; but whether he has not been too hasty in taking his present very responsible position, as he himself says, 'without orders from the Cabinet at Washington,' is a question, to our mind, very easy of solution. It certainly is not for the Governor of a Territory of the United States to anticipate the decision of the Federal Government of a question of so delicate a nature as the drawing of a boundary line between that Territory and a foreign State. This is pushing the doctrine of 'progress,' 'manifest destiny,' and 'natural expansion,' to a palpably absurd and unjust extreme. 'Territorial rights' will place 'State rights' in complete obscurity."

The *National Intelligencer* of April 23 likewise printed the text of the proclamation and said: "The reader will peruse with no little surprise the subjoined report from New Mexico, giving an account of what appears to be a most gratuitous adventure on the part of the Governor of that Territory, and one which, it seems, was not more in favor with the experienced Commander of the Ninth Military Department than with the Mexican authorities whose jurisdiction the Governor so summarily assailed."

17. Ex-Commissioner Bartlett, at about this same time, rose to his own defence and in defence of the line he and Pedro Garcia Condé, the Mexican commissioner, had agreed upon and to which the American surveyor, A. B. Gray, a Texan who "had served on the Texas-Louisiana boundary commission of 1840-1841" (Garber, p. 22) and was interested at this time in the transcontinental railway project, had taken exception. An editorial in the *Union* of March 16th had attacked Bartlett's position and he replied through the pages of the *National Intelligencer*, March 26, 1853, with much of irrefutable argument and the query, *Why take the Disturnell map when it favors the United States and reject it when it favors Mexico?* It is interesting to note that that map was not accepted as evidence in the Gardiner trial (*National Intelligencer*, April 9, 1853).

18. Governor Trias replied to Lane's claims and charges, saying among other things that "as far as protection from the Indians is concerned, the Mexican Government has done at least as much as the United States" and concluding by asking if Governor Lane had the power to declare war (*National Intelligencer*, May 5, 1853). The reply of Trias "was regarded as a most unusual and powerful vindication of the rights of Mexico" (*ibid.*, April 30, 1853).

Bartlett-Condé line, where he was when he wrote and from where he expected to depart for the Rio Gila in a few days. In the disputed territory proper, he seems to have spent only a few hours (Letter of June 8, 1853, *ibid.*, p. 196).

& protect this country, provisionally, until the line shall be definitely established.”¹⁹ Colonel Sumner, however, when appealed to, refused to support him and so prompt was Mexico in resenting his intrusion²⁰ and Governor Trias in collecting recruits²¹ for his expulsion that he was “prevented from even crossing the river” . . . “left, having done no more than issue his proclamation.”²² What followed was to have been expected; for, although the Fillmore administration, the foreign policy of which had been described by its enemies as “pusillanimous,”²³ had given place to the aggressive Pierce,²⁴ the United States had no desire to precipitate another war of conquest and, without yielding anything of the claim that Lane had advanced, was preparing to negotiate with Mexico anew. Judge Alfred Conkling of New York, the United States minister to Mexico, undertook, on his own responsibility, to disavow the action of Lane and to criticize him; but was himself recalled.²⁵ In his place, and for the specific object of securing a tract of country suitable for a railroad, was appointed, May 24, 1853, James Gadsden, the president

19. Letter of February 15, 1853, NEW MEXICO HISTORICAL REVIEW, vol. iii, pp. 191-192.

20. It would seem that the news reached Mexico City, *by express*, April 8, and Millard B. Farwell, bearer of despatches from the United States Legation, arriving in New Orleans April 26, reported that “this intelligence created great surprise, and the determination was expressed to drive out the Americans at the point of the bayonet. An armed force was ordered to proceed to Chihuahua to reinforce the Mexican general, and assist in expelling General Lane. A delegation of the Mexican authorities waited upon Judge Conkling, and made a solemn protest against the whole proceeding. The utmost excitement prevailed amongst all classes . . .” (*National Intelligencer*, April 30, 1853). Salazar, the Mexican commissioner, reported that his government intended “to consider as a declaration of war the refusal on the part of the United States to recognize Bartlett and Condé’s boundary . . .” (*Ibid.*, May 31, 1853.)

21. Skillman’s express, which had been established by Henry Skillman between San Antonio and Santa Fé (*Ibid.*, December 2, 1852), brought word that, by April 25, 1853, Governor Trias, arriving at El Paso the day before, had at his command already a force of 750 men and 150 officers and had made a levy for more (*Ibid.*, May 31, 1853).

22. *Ibid.*, May 3, 1853.

23. The *National Intelligencer*, January 11, 1853, quoting from the *Newark Daily Advertiser*, January 7, 1853.

24. For a plan so comprehensive that it included the Sandwich Islands, Cuba, the Mexican states one after another, the Central American, the South American, and, finally, the Canadas, Nova Scotia, and New Brunswick, see the *National Intelligencer*, May 31, 1853, quoting from a New Hampshire print, the *Concord Reporter*.

25. Garber, *The Gadsden Treaty*, pp. 73, 74.

of the South Carolina railroad.²⁶ For the work designed, no choice of men could have been better. Gadsden had been the intimate and well-beloved friend of Andrew Jackson and one of the three negotiators of the notorious Seminole Treaty of 1823.²⁷ Only very recently, he had been reported as interested in sending out to California a colony of South Carolina planters with from five to eight hundred slaves.²⁸

Governor Lane was also superseded; but he did not immediately return to the States. Other plans had taken shape in his mind. Because of the popularity he had enjoyed from the first with the Anglo-Saxon part of the population, he had developed congressional aspirations and now stood forth as a candidate for the position of delegate. Through June, July, and August, he electioneered²⁹ and it was undoubtedly to enhance his chances of political success that he assumed the belligerent role recorded of his interview with Colonel Sumner the first of June. Were it not so tragically typical of the way subordinated people have been dealt with through the centuries there would be something almost ludicrous in the threat to annihilate a "whole race," should the murderers of one poor Mexican—of a despised race, too, usually—not be surrendered. Sumner doubted the propriety and the justice of such a proceeding; but is it possible that he failed to comprehend its political value? Had Greiner been present—he had left the Territory in May—he would have supported Sumner in his further contention "that it was impossible to catch the Navajoes on their fleet horses."³⁰ The

26. *Ibid.*, pp. 18, 77; the *National Intelligencer*, May 24, 1853.

27. *United States Statutes at Large*, vol. vii, pp. 224-226. For a full discussion of the same, see Abel, A. H., "History of Events Resulting in Indian Consolidation West of the Mississippi," *American Historical Association Report, 1906*, vol. i, pp. 330-335.

28. *National Intelligencer*, February 14, 1852.

29. On June 8, he expressed himself as not wishing to leave Santa Fé until his successor should arrive (Letter to his wife, *NEW MEXICO HISTORICAL REVIEW*, vol. iii, pp. 196-197). He was not then sure of candidacy. In letters of August 26 and 30 (*Ibid.*, pp. 197, 198), he recounted to his wife the journeys he took and the experiences he met with.

30. In a letter of March 31, 1852, Greiner thus described the troops under Sumner: "... We have not 1,000 troops here under Colonel Sumner to manage them (the Indians, estimated at 92,000). Our troops are of no earthly account. They cannot catch a single Indian. A dragoon mounted will weigh 225 pounds. Their horses are

aggressive policy proved to be of little avail. The Mexican vote went where it naturally belonged and José Manuel Gallegos was elected.³¹

Of the general condition of New Mexico the journal tells little, the Greiner and Lane letters tell much. From those of Greiner it is possible to infer that there was still a great shortage of funds and it might still be necessary, as in Calhoun's day, to liberate prisoners because of an inability to feed them.³² The governor's own table was occasionally well-supplied; but the gratitude that could be called forth at the gift of two cabbage heads that had been sent from a place "some 50 or 60 miles off" was indicative of a very great deal.³³ No wonder the life was hermit-like and that some, to escape from it, were willing to take the most "appalling journeys"³⁴ and that others sighed for home.³⁵

Where the journal is strong is in its almost unconscious revelation of Pueblo customs. Had Ward had Greiner's ex-

31. Lane contested the result of the election. For an account of this, see Ralph P. Bieber, *NEW MEXICO HISTORICAL REVIEW*, vol. iii, p. 200, notes 50, 51, 53-56.

32. On this curious state of affairs, see Calhoun to Thomas Ortiz, prefect of Santa Fé county, March 31, 1852 (*National Intelligencer*, May 22, 1852). The prisoners were literally starving and Calhoun, moved with compassion and from a sense of pure humanitarianism, granted them a conditional pardon. The liberated men were described as "thieves and cut-throats" (*Ibid.*, June 8, 1852). "The Legislature had refused to pass a Tax law . . . the reason assigned for not taxing was that *the people would not submit to it*" (C. H. Merritt to the secretary of the interior, April 30, 1852, *Calhoun Correspondence*, p. 533). It was not possible even to procure supplies from the army commissariat (Letter of John Greiner, July 31, 1852, *Journal of American History*, vol. iii, pp. 552-553).

33. Lane to Sarah Glasgow, his daughter, the wife of William Glasgow, jr., November 17, 1852, *NEW MEXICO HISTORICAL REVIEW*, vol. iii, p. 191.

34. Lane to his wife, November 16, 1852, *ibid.*, pp. 189-190.

35. Letter of Greiner, August 31, 1852, *Journal of American History*, vol. iii, pp. 553-554.

all as poor as carrion. The Indians have nothing but their bows and arrows and their ponies are as fleet as deer. Cipher it up. Heavy dragoons on poor horses, who know nothing of the country, sent after Indians who are at home anywhere and who always have some hours start, how long will it take to catch them? So far, although several expeditions have started after them, not a single Indian has been caught! The southern Apaches are at war, they run off all the stock they care for and laugh at their pursuers. The Governor applied to the commandant to give the Mexicans arms to defend themselves. He complied, the other day, by giving an order for 100 stand, and when the arms were looked after they were found to be 'unfit for use.' You may think it strange, but I have more fears of Mexicans and some *Americans* here than I have of any of the Indians" (*Journal of American History*, vol. iii, pp. 549-550).

perience he would have told more.³⁶ It is interesting to know, in view of all that has been said in disparagement of the Pueblo land title, that it was, indisputably, a community title and that an Indian, separating himself from his kindred, forfeited his rights and could recover them only by again subjecting himself to authority. The control over marriage is interesting also. That there was practically no attempt made, on the part of the governor of New Mexico, to interfere with Pueblo affairs was doubtless due to a recognition of the citizenship that had been conceded by the eighth article of the Treaty of Guadalupe Hidalgo.³⁷ In that concession what a chance there was for inaugurating a new and better United States Indian policy, especially as almost coincident with it came a separation of Indian from military affairs! It was a time when much planning ought to have been done and, perchance, much would have been done had not *slavery* held the attention of the nation in the critical year of 1850 and had not *capital* held it for the years immediately succeeding.

JOURNAL OF DAILY TRANSACTIONS AT
THE SUPERINTENDENCY OF INDIAN AFFAIRS
WILLIAM CARR LANE, GOV^r. AND SUP^t.

Santa Fe—Friday October 1st 1852

The Jicarillas³⁸ all left after dinner highly pleased with their new Tata (the Governor).

36. Greiner made two very full reports on the Pueblo Indians. In the one, he dealt with the settlements in the country below Santa Fé, the *Rio Abajo*, and, in the other, with those above Santa Fé, the *Rio Arriba* (*Calhoun Correspondence*, pp. 494-497). Edward H. Wingfield, another Indian Agent under Calhoun, also reported upon them (*ibid.*, p. 470).

37. *United States Statutes at Large*, vol. ix, pp. 929-930.

38. The space allotted for the editing of this journal does not permit of an extended treatment of these and other Indians mentioned. Suffice it to say that there are three particularly reputable sources from which detailed information, statistical and ethnological, can be obtained, *viz.*: Hodge's *Handbook of the American Indians*, *United States Census Report*, 1890, vol. x; *ibid.*, 1910. By the eleventh article of the *Treaty of Guadalupe Hidalgo* (*United States Statutes at Large*, vol. ix, pp. 930-931) the United States had assumed entire responsibility for the peace of the southern frontier and had obligated herself to indemnify Mexico for any depredations that might be committed by her Indians across the line. The immensity of the obligation was soon realized and, had the Americans of the time been at all reflective, they might

Several others, Pueblo Indians,³⁹ here today.

Expenses \$4.25.

John Ward

Saturday Oct 2d 1852

No Indians here today—No Expenses.

John Ward

Sunday Oct 3d 1852

No business done today—no Indians here—No Expenses.

John Ward

Monday Oct 4th 1852

Few Indians here today on different business.

Expenses \$1.50

John Ward

2.

Santa Fe Tuesday Oct 5th 1852

The Governor left after dinner on a trip to the Rio Abajo—he expects to go as far as Socorro.

Jno Lacomé⁴⁰ from Taos⁴¹ came in today—he has been out on a trip to Fort Laramie—he reports all the Indians on the plains behav-

39. The pueblos of present New Mexico are eighteen in number and of three stocks, according to the linguistic classification, Tanoan, Keresan, and Zuñian:—

<i>Tanoan</i>	<i>Keresan</i>	<i>Zuñian</i>
Isleta	Ácoma	Zuñi
Jémez	Cochití	
Nambé	Laguna	
Picurís	Santo Domingo	
Sandía	San Felipe	
San Ildefonso	Santa Ana	
San Juan	Zía	
Santa Clara		
Taos		
Tesuque		

40. This was probably one of the two Lacomé brothers, Frenchmen, to whom Calhoun had been referred for information about and influence with the Utahs. The name of the other was *Auguste* and he was doubtless the Mr. A. Lacomé of entry, January 3, 1853.

41. An interesting account of this much-visited pueblo is Blanche C. Grant's *One Hundred Years Ago in Old Taos*.

well have wondered whether, after all, the pretext by which aggression upon Mexico, recently, and upon Spain, earlier, in the case of Florida, had been justified, had not constituted, in the very nature of things, a gross imposition. The situation, however, was peculiarly bad in the fifties because the Mexicans, consoling themselves with the thought that the United States would pay, did practically nothing to resist Indian attacks. For a reference to this, see a letter written from Parras, Coahuila, November 28, 1852, and quoted in the *National Intelligencer*, January 18, 1853. The writer was connected with the Boundary Commission.

ing very well—he also states that Major Fitzpatrick⁴² was on his way out to meet the Arrapahoes, Kiowas, and other Indians with a large quantity of presents for them—he thinks that the Major had also given the Comanches their share of presents.

Two Jemez⁴³ Indians here this morning but they left again after dinner for their homes.

Expenses \$1.50

John Ward

Wednesday Oct 6th 1852

Several Pueblo Indians here today all wanting to see the new Tata—they were all put off in consequence of the Governor being away—late in the evening a party of Cochita⁴⁴ Indians came in dancing about town—they came in to pay the tithe to the Vicario.

Expenses \$1.00

John Ward

Thursday Oct 7th 1852

We have learned today that the Utahs,⁴⁵ Navajoes,⁴⁶ and Apaches are about to form a league in order to go out and have a fight with the Cheyennes, Kiowas, and Comanches, and it is thought advisable by the Dept. in order to prevent this movement if possible to make a few presents to the Utahs, out of their own appropriation funds, on or about the 1st of Nov^r.—Mr. Greiner⁴⁷ in order to have all things ready by the

42. Thomas Fitzpatrick had not long returned from taking a delegation of the Prairie, or Plains, Indians to Washington (*National Intelligencer*, January 10, February 24, 1852), and he was soon to negotiate with them. The year before this he had negotiated that highly important treaty, called the *Treaty of Fort Laramie*, which gave the right of way to the West and this with the Comanches and others was to be of like significance, since they were to bind themselves not to molest the travel through the desolate wastes, where they had heretofore reigned supreme.

43. For this pueblo group and their Tanoan town on the Rio Jémez, see Elliott Coues's notes to *The Expedition of Zebulon Pike*, vol. ii, p. 615, note 13.

44. This is the only instance, in the journal, of the spelling *Cochita*. Cochiti is a Keresan pueblo on the west bank of the Rio Grande (*ibid.*, pp. 606-607, note 8).

45. Greiner had reported to Calhoun, April 30, 1852, that the Utahs ("Eutaws") were the "easiest managed of any Indians in the Territory." (*Calhoun Correspondence*, p. 530.)

46. The Navajoes are Apaches also. For an interesting contemporary account of them, see the *National Intelligencer*, March 14, 1853.

47. Much to his surprise, Greiner had had the secretaryship of the territory conferred upon him. For his assumed indebtedness to President Fillmore and to Thomas Corwin of Ohio, secretary of the treasury, see his letter of August 31, 1852 (*Journal of American History*, vol. iii, pp. 553-554). Corwin was more than ordinarily interested in New Mexico. His speech in the United States senate, February 11, 1847 (Josiah Morrow, *Life and Speeches of Thomas Corwin*, pp. 277-314), denouncing the war that he insisted Polk had precipitated, was a masterpiece of Whig eloquence. Most unfortunate was it that, considering the high stand he took then, his name should have come to be in any way connected with the *Dr. George A. Gardiner* case, which

return of the Gov^r. from Rio Abajo has purchased the goods and has also made an arrangement with Mr. Lacombe of Taos for ten pack mules to take up the goods to Taos.

Few Pueblos here today wanting to see the Supt.—they were put off in consequence of his being absent.

Expenses \$1.50

John Ward

3.

Santa Fe Friday October 8th 1852

The Governor of Pojoaque came in with a Santa Clara Indian to see the Supt. about some land which he said the authorities of Santa Clara had taken away from this Indian that came with him.

They were informed that the Gov^r. was absent from here and that no answer could be given to them on the subject until his return.

No Indian Expenses

John Ward

Saturday Oct 9th 1852

Seven Jicarilla Apaches came in this morning—they come from the Mescaleros and going towards their homes at Las Truchas⁴⁸—they report the Mescaleros, Aqua Nuevas, and all of those Indians, S. E. from here, doing well and behaving the same.

About one in the afternoon six more Jicarillas and four Utahs came in to see the Tata, making in all today 17 Indians with their animals—had to furnish them all with provision and forage.

Expenses \$8.87½

John Ward

Sunday Oct 10th 1852

All of the Jicarillas and Utahs left for their homes during this forenoon highly pleased with their reception and presents made to them.

We have learned by the Jicarillas that all of the northern Indians have by some means or other learnt the intention of the Dep^t. in making some presents to the Utahs, and it is expected that [a] great number of them will be at Taos at the time of the distribution of the goods, and in consequence thereof the 2500 dollars calculated for the purchase of said presents will not be enough to furnish the large number expected to be in attendance, and therefore will be necessary to

48. A peak of the Las Vegas range (Coues, *Pike*, vol. ii, p. 736, note 20; vol. iii, Index).

was one of the most gigantic of the fraudulent claims set up against Mexico for the purpose of getting from the United States government a large part of the indemnity money. Upon investigation, Corwin was completely exonerated and his vindication came when President Lincoln made him minister to Mexico.

purchase a much larger quantity of goods than it was anticipated by the Dept. in order that the said distribution shall not prove a failure.

Expenses \$4.50

John Ward

4.

Santa Fe Monday Oct 11th 1852

Nothing much done today—no Indians here.

No Ind. Expenses

John Ward

Tuesday Oct 12th 1852

No Indians here to-day, consequently nothing much done—

No Ind. Expenses

John Ward

Wednesday Oct 13th 1852

Nothing of importance done today—few Pueblos here today—all put off in consequence of the Gov^r's absence.

No Ind. Expenses

John Ward

Thursday Oct 14th 1852

Mr. Francisco, sutler at Fort Massachusetts,⁴⁹ came in today and he states that at a place by the name of Los Bayecitos there is about one hundred lodges of Utahs waiting for the Tata (Supt) and presents which they have understood are to be distributed among them about the latter part of this month. No Indians here to day—No Expenses

John Ward

Friday Oct 15th 1852

The Indian child in charge of this Superintendency until chance could be had to send her home died last night after a few days sickness, and was buried this afternoon—she was a captive taken from the Pima village sometime ago by the Apaches and brought to this Supt^v by a trader.

Few Indians here today—no Ind. Expenses

John Ward

5.

Santa Fe October 16th 1852

The Gov^r. of Santa Clara with another Ind. from the same Pueblo came in to see the Supt. about some land belonging to one of the pueblos that sometime ago left the said pueblo in consequence of his disobedience to the authorities thereof and now it appears he wants to

49. *Fort Massachusetts* was in the north, in the Utah country, and, at this time, occupied by Major Blake with two companies (*National Intelligencer*, August 10, 1852).

sell the land which he lived on previous to his leaving the pueblo.

Mr. Greiner in the absence of the Gov^r. told them that they must have a council composed of three Governors from other pueblos and to lay the case before them, and whatever they decide on the parties must bide by in order to put an end to this question,

Expenses \$1.12½.

John Ward

Sunday Oct 17th 1852

The Santa Clara Indians left after breakfast this morning—no other Indians here today—Expenses \$1.18¾.

John Ward

Monday, Oct. 18th 1852

Nothing much done today—few Pueblos here—all put off, in consequence of the Gov^r's absence—no Ind. Expenses.

John Ward

Tuesday Oct 19th 1852

The Governor returned this afternoon from his trip on the Rio Abajo, highly pleased with the country, people and with his trip throughout, he has been down as far as Socorro, and has seen a great portion of the country—the opinion here is that his visits through the country will have a great effect with the people in general.⁵⁰

An Indian here from San Felipe—he reports his pueblo all well and highly pleased with their crops this year—

No Ind. Expenses

John Ward

6.

Santa Fe Wednesday Oct 20th 1852

Two Jemez Indians here this morning wanting to see the Tata (Supt.)—they went off again in the afternoon,

This afternoon sent up to Taos with Lacomé's pack mules, to the care of Judge Beaubien,⁵¹ 27 packages of Indian goods for the Utahs.

50. A letter from Santa Fé of November 2nd, communicated to the *New York Times* and re-printed in the *National Intelligencer*, December 21, 1852, is worth calling attention to; for it bears upon Lane's popularity. He had "thus far proved popular" and gave every promise of continuing so, he being most "ardent in his desire to advance the interests of the Territory."

51. Charles Beaubien had been for some years now identified with the judiciary of New Mexico. He was a French Canadian by birth; but residing in New Mexico at the time of the establishment of the provisional government, 1847. General Kearny appointed him one of the three United States justices. Joab Houghton was appointed chief justice and Beaubien and Antonio J. Otero, associates. The first court convened at Taos, April 5, 1847 (Francis T. Cheetham, "The First Term of the American Court in Taos" in the *NEW MEXICO HISTORICAL REVIEW*, i, pp. 23-41). For the text of Kearny's *manifesto*, see Abert's *Report, Ex. Docs.*, 30th congress, 1st session (1848), p. 453. Doc. 41, 453.

The intention of the Dep^t. is for Mr. Greiner to leave here about the 1st of Nov^r. so as to be in Taos on the 4th and then and there have the distribution of the goods according to promise.

Expenses \$1.00

John Ward

Thursday Oct 21st 1852

Paid up all of the Utah bills and took vouchers for them to the amount of about 1900 dollars.

No Ind. here today—no Expenses.

John Ward

Friday Oct 22d 1852

Two Ind^s. here from the Pueblo of Silla.⁵² They came to see the Sup^t. in order to get a pass to go out and trade with the Moquis⁵³—the pass was granted to them by the Gov^r.

Rev^d Mr Reed got back today from his trip to Fort Defiance⁵⁵ and the Rev^d Mr Shaw, stationed at the Fort as chaplain, and Rev^d Mr Gorman at the Pueblo Laguna.

Mr. Reed also reports that Sandoval⁵⁶ one of the Navajoe chiefs, it appears has been saying to the Navajoes that the Americans are no friends to them, and a great many more things of the kind and it is feared that all his false reports may create some bad feelings against the Americans.

The Gov^r. upon receiving the above reports immediately sent written orders to Judge Baird⁵⁷ (their Agent) for him to proceed forthwith to the Navajoe country with the presents that he (the Gov^r.) desires Judge Baird to take out to them (the Navajoes) on the first of

52. Silla, Sia, Cia, Zia, etc., a pueblo on the Jémez river. See Coues, *Pike*, vol. ii, p. 745, note 24.

53. Charles F. Lummis grouped the seven Moqui (Hopi) pueblos of present Arizona with nineteen of New Mexico (U. S. Census, *Report*, 1890, vol. x, p. 416, note b). Coues, on the other hand, considered them, with a single exception, of Shoshonean stock, like the Utes, Snakes, Comanches, etc. (*Pike*, vol. ii, pp. 743-744, note 24).

54. Reed was one of the two Baptist preachers, who were in Santa Fé when Greiner arrived, July, 1851. (Letter of July 31, and of October 1, 1851, *Journal of American History*, vol. iii, pp. 544-545, 546).

55. Fort Defiance had been established by Colonel E. V. Sumner in the Navajo country. (Calhoun to Sumner, April 5, 1852, *Calhoun Correspondence*, p. 518.) The Navajos were soon going in and out on very friendly terms. This was the report from Santa Fé, November 30, 1851, to the *St. Louis Intelligencer* (*National Intelligencer*, January 27, 1852).

56. For this chief or "captain" of the Navajoes, see Greiner to Lea, April 30, 1852, *Calhoun Correspondence*, p. 530.

57. S. M. Baird had been appointed a special agent to the Navajoes with a location at Jémez. He was appointed by Governor Calhoun (Calhoun to Lea, February 29, 1852, *Calhoun Correspondence*, p. 488).

this month, and also to investigate the facts connected with the above reports, and to endeavour to dismiss all bad feelings which may have arisen from Sandoval's treacherous reports, and on his return from there to report the facts to this Office—the Gov^r. also wrote to Col. Sumner on the subject, and the documents were sent off forthwith to Albuquerque by Express this afternoon.

Expenses \$0.87½

John Ward

Saturday Oct 23d 1852

An Indian from Santa Clara came in to inform the Sup^t. that the council which Mr. Greiner ordered to take place on Thursday last had come off, and that the Gov^rs of San Juan, San Ildefonso, and Santa Clara were the principals of the council and that they had decided that the Pueblo lands is a general gift to the people of said Pueblo by the Spanish Government, and that if any individual thinks proper to disobey the orders of the authorities of said pueblo and leave in consequence thereof, in such case the individual so doing has no right to sell any of the lands which he might have had in his charge or either has a right to sell the improvements thereon, and if he or they insist in leaving the Pueblo as in this case, they may leave and suffer by the consequence.⁵⁸

Expenses \$0.75

John Ward

Sunday Oct 24th 1852

The Santa Clara Indian went off this morning after breakfast—no further business done today.

Expenses \$0.50

John Ward

Monday Oct 25th 1852

M^{rs}s. Jose and Pedro Lucero of De Mora made an application for a license to trade with the Mescaleros at Sierra Moganos—they being good citizens and their securities also, the license was granted to them, for the term of three months—no further business done today—No Ind. here today.

John Ward

58. A fact such as this is something that might to advantage come within the purview of such an exposition as that made by A. B. Renehan of Santa Fé of the legal basis of Pueblo Indian claims. See his *Pueblo Indians and Their Land Grants*, a speech delivered at the Conference of the League of the Southwest at Santa Bárbara, June 9, 1923.

8.

Santa Fe Tuesday Oct 26th 1852

The mail from the States came in this afternoon—Judge Watts,⁵⁹ and Maj. Wingfield,⁶⁰ Ind. Agent, came passengers with this mail—no Ind. here today,

John Ward

Wednesday Oct 27th 1852

The Express from Albuquerque returned this evening bringing with him a letter from Col. Sumner to the Governor, but brought no answer from Judge Baird—few Pueblos here today,

John Ward

Thursday Oct 28th 1852

Three Jicarilla Apaches and several Pueblos here all on different business—had to feed them all.

The mail from El Paso came in this afternoon.

Expenses \$2.93¾

John Ward

Friday Oct 29th 1852

The Governor has this day given Maj. Wingfield his orders and instructions, he is to be stationed at the Copper Mines⁶¹ or in its vicinity, and has been assigned to the Gila Apaches.

The Govr. has also written to Mr. Overman,⁶² Special Agent, apprizing him of an order received by this mail from the Acting Commissioner of Ind. Affs. at Washington City, dated Augt. 29th 1852, dismissing him (Mr Overman) from the service of the Ind. Dept.

Several Indians here today—some of them went off towards evening, while some remain here for the night.

Expenses \$1.00

John Ward

59. John S. Watts.

60. Edward H. Wingfield arrived in Santa Fé, July 25, 1851 (*Calhoun Correspondence*, p. 392). It was arranged that he should, if practicable, accompany Colonel Sumner to the Navajo country and take a position near the post (*Fort Defiance*?) that it was planned to establish there (*ibid.*, p. 393).

61. The Boundary Commission established its *depot* at the Copper Mines. For an interesting account of the locality, see Bartlett, *Personal Narrative of Explorations and Incidents*, vol. i, pp. 197 *et seq.*

62. Charles Overman. Governor Calhoun had appointed him a Special Agent for the lower portion of the Territory; because controversies were likely to arise and it was deemed wise for the Governor to be kept informed of all that was transpiring (Calhoun to Lea, February 29, 1852, *Calhoun Correspondence*, p. 488).

9.

Santa Fe Saturday Oct 30th 1852

The Jemez and San Ildefonso Indians left this morning after breakfast.

Four other Indians came in this afternoon from Taos—had to give them lodgings and something to eat. In consequence of the great portion of labour which the Governor is compelled to perform at present in the discharge of his several duties, he has thought advisable to accept the kind offer⁶³ of Mr. Greiner, Secretary, in acting as Agent in order to meet the Utahs, for the purpose of having a council with them, and to superintend the distribution of the presents intended to be given to them by the Dep^t. and in accordance with the above understanding the Gov^r. has this day given Mr. Greiner a letter of advice on the subject.

Expenses \$1.75

John Ward

Sunday Oct 31st 1852

Several Pueblo Indians here today—some from Jemez, and some from Taos.

Expenses \$2.06¼

John Ward

Monday November 1st 1852

Journal kept by Mr. Greiner during my trip to Taos. Several Indians here today.

Expenses \$2.50

John Ward

Tuesday Novr. 2d⁶⁴ 1852

Santa Ana and Taos Indians here yet—trying to get them away—gave license to Barclay and Doyle to trade with Indians.

John Ward

63. Of this occurrence, Greiner wrote,

"I am much pleased with Governor Lane. He is a gentleman of the old school, and will make a popular Governor. I am going to Taos next week to meet the Utahs and Jicarillas Apaches. I shall purchase and distribute about \$5,000 worth of presents among them, the Governor requesting me to attend to this duty for him, as he says I know more about Indians than any man in the Territory. *Soft corn...*" (Extract from letter of October 30, 1852, *Journal of American History*, vol. iii, p. 554).

64. By this time Governor Lane seems to have organized the work of his Indian Office. At any rate the following rules issued by him would indicate as much. The newspaper comment is added, it being very pertinent:

"There is (says the *Baltimore American*) a bold and brave public servant in the administration of national interests at present in New Mexico. There is something veritably *pro-consular* in the following 'rules' which have been issued in that remote Territory, of which Mr. William Carr Lane is at once Governor and Superintendent of

10.

Santa Fe November 3d 1852

Taos and Santa Ana Indians went off this morning after breakfast.

Expenses \$1.50

John Ward

Wednesday Nov^r 4th 1852

Sent off one of the horses of the Superintendency to pasture—No Indians here today.

John Ward

Friday Nov^r 5th 1852

Learned to day that Mr. Joseph Hersch had an Indian boy (Pahutah) for sale—gave him notice that if he offered him for sale at a future time that he would be prosecuted to the extent of the law.

And if the boy was not forthcoming when called for by the Superintendent he would be held responsible. Several Jemez Indians here today.

Expenses \$1.00

John Ward

Indian Affairs. The utter inefficiency of the Indian Department seems to have annoyed him; and, accordingly, he thus sends forth his receipt:

1. Sinicures are abolished.
2. The public service is to be the great end and aim of all agents, interpreters, and other persons who may be employed in the Department, and every possible exertion must be made to advance the public interest.
3. Private business must not interfere with the discharge of public duties.
4. The expenditures of agents must be confined to the narrowest possible limits which may be consistent with a proper discharge of public duty; and a careful discrimination must be made between the private and public expenditures of agents.
5. The residence of the agent must be within the limits of the tribe to which he is assigned, or as near thereto as practicable.
6. All orders from superiors must be promptly obeyed, or satisfactory reasons given for the failure to obey.
7. The expressions '*I can't*,' '*I couldn't*,' or '*I don't know*,' are inadmissible phrases in reports to this superintendency.
8. All officers who may disregard or fail to observe these rules will be deemed to be '*out of health*,' and will be relieved temporarily from duty; and, should not satisfactory assurance be given that the '*health*' of the officer is likely to amend, his unhappy case will be reported to Washington.

WM. CARR LANE

Superintendent Indian Affairs for New Mexico.

Santa Fe, New Mexico, Nov. 2, 1852.

There is warning as well as wit (says the *American*) in these wholesome decrees of Gov. Lane; and it cannot be denied that their enforcement elsewhere in this Union would be exceedingly efficacious" (*National Intelligencer*, January 20, 1853).

Saturday Nov^r 6th 1852

Maj. Wingfield left today for the Copper Mines Agency where he is to remain as Agent for the Apaches. Turned over to him one public mule and one bridle.

Ward returned from Abiquin⁶⁵ bringing with him Tamu—receive the presents but would agree to go to Abiquin.

Fitted out Tamuche with a suit of warm and comfortable clothing—he is to act as Runner for his own and Cuniache's people—the meeting is to be held in Abiquin next Saturday.

John Ward

11.

Santa Fe Sunday Nov^r 7th 1852

Ward left for Taos this morning taking with him Tamuche, and Cruz Markes (a Mexican to act as Runner) in order to take the Ind. goods that have been sent there and have them packed over to Abiquin,

Gave him letters to Beaubien, Mignault, and Hatcher in Taos, and orders to buy 3000 lbs of coarse flour. Gave him letters also to Manzanares,⁶⁷ and Gen^l. Chaves at Abiquin notifying them of our being at Abiquin on Saturday next,

Several Indians here today Expenses \$1.50

John Ward

Monday Nov^r 8th⁶⁸ 1852

Some Isleta Indians here today requesting from the Governor, that a paper should be given to them to shew that their Governor and Cap^t. de Guerra (or war Cap^t) must be respected in their offices. Gave them a paper to that effect.

Gov^r of Santa Clara, and few other Indians here today,

Expenses \$2.50

John Ward

Tuesday Nov^r 9th 1852

Several Indians here today—one of them from Santa Clara made a complaint against a Mexican.

Expenses \$2.00

John Ward

65. Abiquiu, the *Abicu* of Pike. See Coues, *loc. cit.*, vol. ii, p. 604, *note* 7. che,⁶⁶ Utah Cap^t., stating that the Utahs refused to go to Taos to

66. Tamuche, or *Tamucha* (*Calhoun Correspondence*, p. 256), or *Tamouchi* (*ibid.*, p. 531). Greiner reported him as the war captain of the Capote Utahs.

67. Prefect of Rio Arriba County. See entry, January 11, 1853. A certain José Anto. Manzanares signed the memorial which the New Mexican Convention addressed to the United States Congress (Senate Exec. Docs., no. 76, 31st congress, 1st session, vol. xiv [1849-1850], serial no. 562).

68. The Lane journal, edited by Twitchell, has entries missing from November 7, 1852, to January 8, 1853.

Wednesday Nov^r 10th 1852

Purchased today six fat oxen from Salazar⁶⁹ for 120 dollars for the Utahs and sent them on to Abiquin by Teodoro Garcia, in order to have them there at the time of the meeting with the Utahs.

John Ward

12.

Santa Fe Thursday Nov^r 11th 1852

Mr. Greiner left this morning for Abiquin for the meeting—No Indians here today,

John Ward

Friday Nov^r 12th 1852

Few Indians here—all left again in the afternoon for their homes.

John Ward

Saturday Nov^r 13th 1852

Two Santo Domingo and two Taos Indians here today—had to give them something to eat.

Expenses \$2.00

John Ward

Sunday Nov^r 14th 1852

Indians all left this morning after breakfast—no further business done today.

John Ward

Monday Nov^r 15th 1852

Two Indians from Picuris here this morning but left again after dinner.

John Ward

Tuesday Nov^r 16th 1852

Mr. Greiner, Ward, and party returned this afternoon from Abiquin. Mr. Greiner reports the meeting having been a fine one, and he thinks the number of Indians must have been 150 Apaches and 400 Utahs and in order to create no bad feelings among them had to give them all presents alike, although the presents were intended for the Utahs. The Indians all went off highly pleased to their homes with their reception and presents given to them.

John Ward

69. This was probably the same as the Mr. L. Salazar of entry, December 22nd. Don José Salazar was "the Chief Astronomer on the part of Mexico" for the Boundary Commission and reported upon the *initial point* (Bartlett, *Personal Narrative*, vol. i, p. 202).

13.

Santa Fe Wednesday Nov^r 17th 1852

Francisco Ulibari made an application for a license to trade with the Comanches for three months—it was granted to him—No Indians here today.

John Ward

Thursday Nov^r 18th 1852

Nothing much done today—No Indians here.

John Ward

Friday Nov^r 19th 1852

Information has been received at this office that an American at the Saw Mill of Mr. Lease, near Las Vegas, had shot an Apache Indian and badly wounded two others, the Governor upon receiving the above information consulted with Mr. Greiner, Sec^y and requested him to proceed to Las Vegas and have the matter investigated—the Governor also requested of Mr. Greiner to see the Indians and to spare no means in order to have them pacified and the injured families rewarded as much as possible, in order to prevent any trouble hereafter by the Indians trying to revenge themselves. Mr. Greiner leaves for Las Vegas tomorrow morning.

John Ward

Saturday Nov^r 20th 1852

Mr. Greiner left this morning for Las Vegas—no Indians here today—Ward also goes with Mr. Greiner.

John Ward

Sunday Nov^r 21st 1852

No Indians here today—nothing much done in the way of Ind. Affs.

John Ward

14.

Santa Fe Monday Nov^r 22d 1852

Few Indians here today—all left again in the afternoon.

John Ward

Tuesday Nov^r 23d 1852

A Santa Clara Indian here today wanting a pass to go out trading with the Comanches—the pass was granted to him.

John Ward

Wednesday Nov^r 24th 1852

No Indians here today.

John Ward

Thursday Nov^r 25th 1852

Several Indians here today—had to give them something to eat.

Expenses \$0.62½

John Ward

Friday Nov^r 26th 1852

No Indians here—nothing much done today on Ind. Affs.

John Ward

Saturday Nov^r 27th 1852

The mail from Independence got in this afternoon and they report Dr. Steck⁷⁰ (Ind. Agent) with the Pueblo delegation⁷¹ this side of the Arkansas all well but travelling very slow.

John Ward

15.

Santa Fe Sunday Nov^r 28th 1852

Some Tesuque Indians here wanting to know about their friends that went in to the States with Gov^r Calhoun. No further business done today.

John Ward

70. Evidently the "Dr. M. Stake" of the Socorro petition to Calhoun (*Calhoun Correspondence*, p. 481). In 1853 (v. entries of June 3 and July 8, *below*) Michael Steck of Pennsylvania became Indian agent for the Southern Apaches of the Chiricahua or Mogollon bands; from 1863 to 1865 he was superintendent of Indian affairs at Santa Fé.

71. When Governor Calhoun started on his journey back to the States, he was accompanied by five Indians from the Pueblo of Tesuque. Colonel Sumner detailed Lieutenant Johnston with twenty-five men as an escort (Sumner to Major J. H. Carleton, Captain 1st Dragoons, May 5, 1852, *Calhoun Correspondence*, p. 534), also Dr. McFarland (Same to Same, May 20, 1852, *ibid.*, p. 548). A report that reached Independence the twenty-first of June was that Calhoun's party was with Hubble's and that he had been obliged to stop by the way because of feeble health, had again recovered sufficiently to prosecute his journey "and was passed by the mail party at Middle Cimarrone Spring" (*National Intelligencer*, July 8, 1852). The next news of him was that he was dead (Entry in Greiner's *Journal*, July 27, 1852). What to do with the Tesuque Indians was the problem. David V. Whiting, Calhoun's private secretary was of the party accompanying him, also Wm. E. Love, his son-in-law. The former telegraphed to Washington for instructions how to proceed (*Calhoun Correspondence*, pp. 540, 541) and, finally, he and Love started forward with the Indians, reaching the capital city early in August. They visited the Indian Bureau and were then taken to the White House. For an account of their interview on that occasion with President Pierce, see *National Intelligencer*, August 7, 1852. Other visits followed and, at the last, it was remarked that one of them, Juan Antonio Vigil, was wearing an old medal with the head of George III upon it—"which no inducements could prevail on him to part with." They one and all refused a gift of clothes, thinking them quite unnecessary as a substitute for their own; but expressed a desire to learn the English language. They were speaking in "liquid Spanish," Mr. Whiting acting as interpreter; but among themselves they used their own Indian speech (*ibid.*, September 2, 1852).

Monday Nov^r 29th 1852

A complaint against the Gov^r of the Pueblo of Isleta was made by some of the Indians of said pueblo.

The Governor has appointed Mr. A. J. Ortero to go down and investigate the whole matter.

Mr. Greiner arrived last evening from Las Vegas and states all the Ind. difficulties settled. Mr. G. has made his report to the Gov^r in accordance—the Mail from El Paso arrived this afternoon.

John Ward

Tuesday Nov^r 30th 1852

Several Indians here today but they all went off again in the afternoon.

John Ward

16.

Santa Fe Wednesday Dec^r 1st 1852

The mail for the States left this morning—No Indians here today.

John Ward

Thursday Dec^r 2d 1852

No Indians here today—nothing much done in the way of Ind. Affs.

John Ward

Friday Dec^r 3d 1852

The Gov^r. of Isleta came here today with other Indians, to inform the Gov^r that the complaint made against him, by some of his people some days past, was false and without foundation. The Gov^r told him that he had sent down Mr. Ortero to their pueblo in order to investigate the matter and have it all settled—late in the afternoon 3 more Indians came from Picuris—had to lodge and feed them all,

Expenses \$1.75

John Ward

Saturday Dec^r 4th 1852

Several Indians here, some from Santa Ana and some from Taos. Late in the afternoon a delegation of Taos pueblos, numbering 32, made there appearance—the object of their visit as they stated was to see the new Tata (the Gov^r) and to welcome him in the name of their Pueblo;

They also asked the Gov^r for permission to have a pueblo dance in the plaza tomorrow, but the Gov^r declined in consequence of its being Sunday but told them that they could dance on Monday as much as they please.

The number of Indians lodged and fed today is 39—

Expenses \$6.62½

John Ward

17.

Sunday Dec^r 5th 1852

The Santa Ana Indians went off after dinner—all of the Taos pueblos are here yet—have to feed them all.

Expenses \$9.62½

John Ward

Monday Dec^r 6th 1852

Some few Ind^s. left today but the greater part of them are still here.

Expenses \$6.75

John Ward

Tuesday Dec^r 7th 1852

All the Indians left after dinner for their homes, highly pleased with their new Tata (the Gov^r) Dr. Steck (Indian Agent) and Mr. D. V. Whiting, together with the Delegation of Tesuque Indians, arrived late this evening from the States.

Expenses \$4.50

John Ward

Wednesday Dec^r 8th 1852

Several Indians here today to meet their friends from the States (or the Delegation). Expenses \$1.50.

John Ward

18.

Santa Fe Thursday Dec^r 9th 1852

Several pueblos here this morning, but they all went off again in the afternoon.

John Ward

Friday Dec^r 10th 1852

Mr. D. V. Whiting turned over today to the Ind. Dept. the following number of public animals; viz. 7 mules, 4 mares, 1 horse, all in very bad order, fairly broken down, and one of the mares badly founder. No Indians here today.

John Ward

Saturday Dec^r 11th 1852

An Indian from Santo Domingo here this morning and stated that he was en route to the Comanches, but that he had met with a party that just arrived from them (Comanches,) and they told him that they intended to take away all the animals and wagons from those that went to the Buffalo hunt this year with Carts, or Wagons, and that in consequence of the above statement himself and party had given up the trip. Expenses \$0.50.

John Ward

Sunday Dec^r 12th 1852

No Indians here today—no business done in the way of Ind. Affs.

Yesterday sent out to Mr. S. Ellison's⁷² Rancho in Galisteo 9 public animals as follows, 5 mules, 1 horse and 3 mares. Mr. Ellison is to keep them at the rate of 7 dollars pr. head—monthly, and he has to feed them with corn, fodder, &c.

John Ward

19.

Santa Fe Monday Dec^r 13th 1852

Carlos from Tesuque with those that went in to the States came here this morning, but after dinner they all went off again.

Expenses \$1.50

John Ward

Tuesday Dec^r 14th 1852

Few Indians here this morning but having no business with the office they were all put off. Mr. Whiting turned over to the Gov^r. this morning 20—2 inch silver medals sent to him by the President. (Fillmore).

John Ward

Wednesday Dec^r 15th 1852

Several pueblos here today, but they all went off again in the afternoon.

John Ward

Thursday Dec^r 16th 1852

No Indians here today—nothing much done in the way of Ind. Affs.

John Ward

Friday Dec^r 17th 1852

Four Indians from Jemez and two from San Ildefonso here today with their animals—had to feed them all.

Expenses \$1.50

John Ward

20.

Santa Fe Saturday Dec^r 18th 1852

The Jemez and San Ildefonso Indians all went off this morning after breakfast—no other Indians here today.

Expenses \$1.00

John Ward

72. Probably Samuel Ellison, whose manuscript "History of New Mexico," in the Bancroft Library, was edited by J. Manuel Espinosa in the N. M. HIST. REV., xiii (January 1938), 1-13.

Sunday Dec^r 19th 1852

No Indians here—nothing much done in the way of business.

John Ward

Monday Dec^r 20th 1852

Several Indians here this morning—all went off again in the afternoon.

John Ward

Tuesday Dec^r 21st 1852

Mr. Steck, Indian Agent, received a letter of instructions from the Governor this morning. Mr. Steck intends going from here to Anton Chico and from there to Las Vegas and Mora, thence to Taos and back to Santa Fe, the object of this trip is to see the Jicarilla Apaches—Mr. Steck also received from the Supt the following articles of public property, viz; one horse, one mule, two saddles, & two bridles, two saddle blankets.

John Ward

21.

Santa Fe Wednesday Dec^r 22^d 1852

Mr. L. Salazar from San Miguel made an application for a license to trade with the Apaches—the license was granted to him—No Indians here today.

John Ward

Thursday Dec^r 23^d 1852

A Mexican from San Miguel made an application for license to trade with the Comanches, but, in consequence of his not having the necessary documents with him, the license was not granted. No Indians here today.

John Ward

Friday Dec^r 24th 1852

Juan de Chamas, an Indian from Santo Domingo made an application for a pass for himself and 18 others of the same Pueblo in order to go out and trade with the Comanches—the pass was granted.

Carlos from Tesuque also here this morning—gave him breakfast.

Expenses \$0.50

John Ward

Saturday Dec^r 25th 1852

The mail from Independence came in today. No Indians here.

John Ward

22.

Santa Fe Dec^r 26th 1852

No Indians here today—nothing much done in the way of Ind. Affs.

John Ward

Monday Dec^r 27th 1852

No Indians here today—nothing new

John Ward

Tuesday Dec^r 28th 1852

This morning the Governor received Maj. Wingfield's (Ind. Agent) report from the Copper Mines, dated 20th inst.

John Ward

Wednesday Dec^r 29th 1852

All busy making out papers to send by this mail, being the end of the quarter—no Indians here today.

John Ward

23.

Santa Fe Thursday Dec^r 30th 1852

Agent Baird and Special Agent Overman came up this morning in order to settle up their accounts, being the end of the quarter—they report the Navajoes and Apache Indians doing well and behaving the same—Mr. Overman from this date has nothing further to do in the Ind. Dep^t in accordance with the orders from the Act^s Com^r of the Ind. Dep^t at Washington City.

Mr. D. V. Whiting turned over today the balance of public property belonging to the Ind. Dep^t. which he brought with him from the States.

John Ward

Friday Dec^r 31st 1852

Nicolas Prudo from San Miguel made an application for a license to trade with the Comanches—the license was granted to him.

No Indians here today.

Thus ends this year of our Lord 1852.

John Ward

(To be Concluded)

THE CREDIBILITY OF THE FRAY MARCOS ACCOUNT

By CARL O. SAUER

THE MYTHS of history, gaining authority by repetition, are stubborn things to slay. In 1932 I published in "The Road to Cibola" a version of discoveries in the Southwest, by which I gave Cabeza de Vaca and his party priority of entry into New Mexico and Arizona, and denied the claims of Fray Marcos beyond a slight penetration into Arizona. Further evidence was presented in my article in the NEW MEXICO HISTORICAL REVIEW in 1937, "The Discovery of New Mexico Reconsidered." On Cabeza de Vaca I find myself in substantial agreement with Cleve Hallenbeck's monograph, published during the present year (1940). Against Fray Marcos I am allied with Henry R. Wagner, who has written in part in this same journal. We three, who are not professors of history, remain voices in the wilderness. The fourth centennial of its true discoverers went unnoticed in the Southwest; Arizona commemorated in 1939 the bare-foot friar from Nice. The recent article by Mr. Bloom in this journal, supporting Fray Marcos and rejecting my analysis, demands an answer, if only so that the record be cleared.

The contribution of Mr. Bloom is in the discovery of certain errors in the published version of Fray Marcos' relation. I have since examined a photographic copy of the originals and compared them with the printed Pacheco and Cárdenas version. The latter is remarkably exact except for the three mistakes noted by Bloom. Only one of these has any importance as affecting the itinerary, the error by which four *jornadas* became four *leguas*. However, this error in no wise "invalidates the Sauer analysis," as Bloom makes claim. By use of the printed document I placed the Friar at the northern end of the Opata settlements on May 5, where he rested three days, and whence he entered the *despoblado* on May 9. By the correct original, the first date

must be changed to May 1, followed by a rest of three days, and then by a march of four days to reach the *despoblado* on May 9, the date given by Fray Marcos. These four *jornadas* must then be interpreted as having been made beyond the limits of the Opata settlements, from the headwaters of the Sonora drainage through the rancherías of the Sobaipori Pima on the upper San Pedro of southern Arizona. The correction makes the record legible a bit farther. The country north of the Opata valleys, the high Cananea plateau, was unsettled, or very sparsely occupied, about to the International Border. Beyond, in the San Pedro Valley of Arizona, lay the Pima rancherías, and though these were smaller, fewer, and more primitive than the Opata villages, they should have been, and apparently were taken into account as being south of the great *despoblado*. The Friar thus reckoned the beginning of the great *despoblado* by his departure from the Pima villages, not from the upper end of the Opata land.

But that is all that this correction implies. It does not change the calendar of Fray Marcos, for, if he got to the end of the Opata country four days sooner than I had thought, instead of a schedule of fifteen *jornadas* between Opatería and Cíbola, there now must be added for the return, to the fifteen *jornadas* back across the *despoblado*, four more to get to the northernmost Opata valley. This means simply that the four days, or *jornadas*, are shifted, not saved. Nor is the case against Fray Marcos so slight that he could be rehabilitated by gaining for him a small matter of four days. As a matter of fact, Mr. Bloom lost a precious week for his client by showing that the *Relación* was attested, signed, and sealed in Mexico City by August 26, whereas I have used the terminal date of September 2 of its formal presentation before the Viceroy.

There are two general questions still before us in the case of Fray Marcos: 1. Does his account in general show evidence of good faith? 2. Is its calendar reasonable or possible? I shall consider first, the second of these.

Bloom has the Friar at Cíbola on May 25, estimating the date from Fray Marcos' own account. The Indians had told him that from the beginning of the *despoblado* to Cíbola were fifteen long days of travel (*largos quince días de camino*), Bloom omitting the "*largos*" in his rendering. This was a fair statement of the distance from the San Pedro to Zuñi for a few tough Indians, traveling light. The Friar applied this yardstick to his own reputed march to Zuñi. But there is significant difference in the manner of travel of such Indians and that of the Friar. Previously, he had sustained no long marches, having taken two months to cover about three-fifths of the distance from Culiacán to Cíbola. Now he is supposed to have covered the remainder in half a month, including first an arid and then a mountain terrain. Moreover, the Friar here for the first time acquired an impressive safari, according to his story, of thirty principal men from among the Indians, dressed in gala attire, accompanied by "the people necessary to bring them and me food." Always they were very well supplied with a variety of game. Some of the Indians served as porters of chests of clothes and other things for barter. Such a train could not move rapidly, nor is there any note of hurry in the Friar's account. After the first day, there is indeed no mention of what was passed or seen, no mention of the "spiny country" that vexed Coronado's men, nor of the great ascent of the rim of the Colorado Plateau, of its wide pine forests, or of the high, grassy plains beyond. Nothing—only "I marched twelve days," though Marcos was charged especially by the Viceroy to observe "the quality and fertility and climate of the land, its trees and plants and tame and wild animals,—whether the land is rugged or smooth" and so on, to all of which Fray Marcos answered only, "I marched twelve days." And this was the one part of his supposed journey where no white man had preceded him. Not only would such a train have slowed down travel, but the time was adverse, being at the end of the dry season, when short cuts were out of the question because of failure of springs, and game also was hardest

to find and in poorest condition. The march, moreover, was interrupted twice by news of the slaying of the Negro and his Indian companions. The first time, Marcos said that he re-animated the party to continue. The second bearers of bad tidings discouraged the company so greatly that only two of the chiefs and a few other Indians continued to the end. Yet all of this is supposed to have been done at an average rate of travel of about nine leagues a day, sustained for fifteen days.

Now as to the return journey. We can use estimates of distance only as rough approximations. Coronado's men counted the distance from Cíbola to Chichilticalli, roughly the crossing of the Gila, as eighty-five leagues. This was about halfway from the beginning of the Opata country, or about 170 leagues for the whole northern stretch. Fray Marcos reckoned 112 leagues to the place I have thought to identify as the crossing of the Mayo. About fifteen leagues should be added to get to Vacapa, whence Coronado estimated that it was sixty leagues to Culiacán. From Culiacán to Compostela lay a hundred leagues in the long reckoning of the time. All of which adds up to 450 or 460 of the leagues of the day, not the precise league of 2.6 miles of the land surveys, but on the whole long leagues. Anyone familiar with the itineraries of New Spain knows that the leagues of travel of the sixteenth century were consistently a good deal greater than those of the eighteenth century. Or, let us consider the matter in terms of miles. From Nogales on the Arizona border, the Southern Pacific runs 940 miles to Compostela by a very direct route. From the vicinity of Naco, where Fray Marcos should have crossed our border, the distance to Compostela at most would be reduced by less than a hundred miles from that by rail. From the border to Zuñi is somewhere around 400 miles. The total cannot be reckoned at much below 1300 miles; let us say we put it at 1250 miles.

Arrived at Cíbola, the Friar had just done 450 miles, perhaps better, in nineteen days if we may believe him.

Thereupon he is to turn about, without a rest, without a rest all the way back to Compostela, to accumulate a total of 1700 miles, perhaps more rather than less, in this sustained, stupendous march from upper Sonora to Cíbola and back again to Compostela. Perhaps he could do the last hundred leagues on horseback. History is silent on that point, but we know that all the rest of it had to be done on foot. It is no wonder that Mr. Bloom needs all the days he can assemble in order to make feasible this terrific journey.

The case for the Friar is worse than has been stated thus far. It is not merely that it seems inevitable to limit his return journey to the month of June by the evidence introduced: 1) There are two geographic considerations stated in my previous studies, namely the fearful heat of that stretch of coast during that season and the complete cessation of land travel north of Compostela after June. No one could put on a maximum performance of marching at that season of the year when there is league on league of burning, shadeless *monte*. The Friar dared not risk getting caught this side of Compostela by the rains which turn the lowlands of Nayarit into a morass. 2) This non-pareil of long distance walkers has the face to say that on his way back he turned aside (in southern Sonora) to inspect the valley or opening (*abra*) where the mountains came to an end. He had noted this locality on his way up, but had left the inspection for the return. This really was a dreadful slip on the part of Marcos. He was concerned so little with the difficulties of time which he bequeathed to later students that he said nothing about the problem of time, but only that fear caused him to hesitate about the detour. I have written elsewhere of this land of civilized people and golden vessels which Coronado later found to be the first of the myths of Marcos. I have suggested that the slight element of truth may be supplied by the Chinipas Valley of western Chihuahua, which is more or less to the east of Vacapa. Fray Marcos declared that he got to the mouth of the gap in the mountains and saw beyond seven fair settlements, that he erected two crosses,

and took possession of the land. Had the Friar turned aside for a view of Chinipas, he must have used up at least a week of hard going, as I know, having been there and remembering well the weariness of that mountain trail. Marcos indeed said that the *abra* lay four or five jornadas off his road. Of course, there is no such gap, no plains beyond, no such a civilized people. The Friar never saw this fictitious land, but the point is that he added to the impossibility of his journey by claiming that he did take this side trip and thereby admitting a loss of eight to ten days from the already inadequate time of his return.

Should he have found horse transport from Culiacán to Compostela, little reduction in time would result. Almost the whole of this part of the journey was through a country then stripped of its natives and provisions, as we know from Coronado's expedition the following year and from other accounts of the time. Indians from the hills to the east raided the camino and made it necessary to travel with heavy guard. Provisions had to be carried for most of the road. Such escort and pack train travel again was not favorable to rapid transport.

The remaining crucial question is the time at which Fray Marcos got back to Compostela. Let us begin the reckoning at the City of Mexico where the finished *Relación* was attested, signed, and sealed August 26, as Mr. Bloom has stated. This is a longish document and a formal one. We may be sure that nothing went into it without careful discussion, and that it was well edited before it was given to the scribe and attested as a permanent record. A week allowed for the official casting of the report, which seems conservative, would bring us back to August 19. Before this time three trips between Compostela and Mexico must be provided. We know from the *Relación* that Marcos wrote from Compostela to the Viceroy and the Franciscan Provincial of his arrival, with request for instructions as to what he should do next. This involved one round trip for a messenger. Thereupon, Marcos went to Mexico, to present his

report. It was a good five hundred miles from Compostela to Mexico, with two or three formidable mountain stretches of road. There should be added, therefore, at least a month and a half for the three trips, and a few days for consideration of the communications. I do not see, therefore, how Fray Marcos can have arrived at Compostela after the first of July.

We are back, therefore, to the necessity of making the incredible journey from Zuñi to Compostela in the month of June. Worse still, the side trip to the *abra* must be accommodated. The whole business is clearly impossible. It has been shown that there was not the time for the journey that Mr. Bloom has postulated. He uses the date of entry into the northern despoblado as May 9, the arrival at Cíbola on May 25, and the return to Compostela, possibly by July 10. This would require covering 1700 miles on the main trail in two months. However, by the Friar's own statement a minimum of eight days must be subtracted for the side trip to the *abra*. Thus, even Mr. Bloom's reckoning is up against the necessity of maintaining an average pace of thirty-three miles a day without let-up.

Mr. Bloom makes a last attempt to gain time for the Friar by turning to Coronado's letter of July 15, 1539, which Wagner and I first used. I am completely at a loss to understand the interpretation he has read into this letter. What Coronado says is simple. Writing to the King he says that since his Majesty will have news of the newly-found land, he is writing no more at that time, because the King will learn about it from "the Relación of Fray Marcos and from that which the Viceroy is writing to Your Majesty." I see no basis for an interpretation that Coronado had only advance reports brought back by Indians, which seems sheer supposition on Bloom's part. Coronado speaks of the Relación of Fray Marcos and of a letter about the trip from Viceroy to King in the present tense. The least one can infer is that these were then in process of preparation.

There may now be a final word as to the general veracity of the Friar's account:

(1.) Beyond Petatlan (later the villa of Sinaloa) he speaks of the scarcity of food, in part, because he had been told that it had not rained for three years. This is an obvious impossibility for that region, and I doubt that he was told any such thing.

(2.) He asserts having seen the island in which Cortez had been, saying that it was half a league from the mainland. This may be an attack on Cortez' claim to California. This putative position of Cortez' island would place it within the territory of the Spaniards of Culiacán, who antedated the expedition of Cortez. In the immediately preceding sentence of his *Relación*, the Friar had called attention to slave raids along this coast by Spaniards of Culiacán. If Marcos knew anything about Cortez' expedition to California, he cannot have believed that some sandbar or island in northern Sinaloa was the land to which Cortez sailed. The possibility that one of Cortez' supply ships may have passed by this locality does not make the Friar's statement correct or innocent.

(3.) Attention must be called again to the mendacity of the assertion that, having passed the first despoblado south of the Fuerte River, "I found other Indians who were astonished to see me because they have no knowledge of Christians, because they do not traffic with those on the other side of the despoblado." This is a compound falsehood. In the first place, there was no real despoblado, but rather a stretch of small and sparsely strewn rancherías between the rich and well-peopled valleys of the Petatlan and the Fuerte. Secondly, there was no barrier to the communication between these valleys. The Indians on both sides were of the same stock, language, and culture, and communicated freely at all times. In the third place, all this area had been entered repeatedly by Spaniards. Diego de Guzmán's party had penetrated across it to the northern end of the Yaqui country. Cabeza de Vaca's party had come through this area

and, moreover, had found this region desolated far and wide because of Spanish slave raids.

(4.) In the Fuerte valley Fray Marcos found an abundance of food. Remembering, perhaps, that he had just spoken of a land where it did not rain for three years, he added that this country had much food because it was all irrigated. If there had been such a great drought, irrigation would have been much reduced and crops also. Moreover, the inhabitants of the Fuerte valley did not practice irrigation.

(5.) Why should the Negro, as he scouted ahead of Fray Marcos, have sent the repeated and excited accounts of the great news that he was discovering? The Negro well knew and so did Fray Marcos that this was only the back trail, down which the Negro had lately come with Cabeza de Vaca. The Negro had, in fact, been bought by the Viceroy to serve the Friar as guide. Yet the Friar's account has not one word of Cabeza de Vaca's prior expedition and expressly claims that the Indians north of the Petatlan area knew nothing of white men.

(6.) In the build-up of the story of the riches of Cíbola, Fray Marcos underscores the increasing abundance northward of turquoise, and cow (buffalo) hides among the natives of Sonora. By the time he got to upper Sonora, the people were laden with turquoise ornaments, and buffalo hides were seen by the thousands. We are quite well informed about the condition of the Indians of Sonora at the time of the Spanish occupation, and know somewhat their archaeology. The road of Fray Marcos was one of the routes by which turquoise was traded from the Southwest into Central Mexico. There is no evidence that it was accumulated in any conspicuous amount by the people of Sonora. Buffalo hides were also traded into Sonora, but in limited numbers. Its people did not dress in heavy buffalo skins, as he said, but used light and pliable buckskin.

(7.) The version of the fame of the Pueblo people among the Opata is most improbable. According to the

Friar, the Sonora Indians regarded the people of Zuñi with awed admiration. As a matter of fact, the Opata were at as high a cultural level as the Pueblo people, and their standard of living was markedly better. The Opata were much more numerous than the people of Zuñi, probably as numerous as all the Pueblo folk together. They had larger towns than those of Cíbola; they had much more and better farming lands, and a far larger agricultural production. The Friar insists that these prosperous and well-fed Indians migrated annually as day laborers to Zuñi to gain their livelihood. This is entirely out of character for what we know, both of the Opata and the Zuñi.

(8.) Similarly, the fear of the Zuñi by the Opata is out of character. The Zuñi were few and peaceable. The Opata were numerous and some of the hardest fighters of New Spain. They gave the Spaniards a rather bad time of it for a while, and they fought the Apaches successfully for generations. No one who knows the Opata will incline to accept the Friar's account of the timorous folk sitting by the way-side, terror-stricken.

(9.) Having come to the hill whence he claimed the view of Cíbola, the Friar made the flat assertion: "The population is greater than that of the City of Mexico." Can the veracity or good faith of the author of such a statement be upheld?

(10.) Then and there, he continues, he erected, with the aid of his Indians, a great heap of stones with a cross upon it. The final remnant of the party had crept up for a view of the promised land. Then they exposed themselves by the erection of this monument. Let us consider the improbability of the situation. The Negro and the horde of Sonora Indians had gone, it is claimed, to Zuñi as an advance party. These had been killed, except for the few who escaped to bear the tidings of disaster back to Sonora. If this happened, a great war party of Opata must have been expected at Zuñi to be on the way to seek vengeance. Under such circumstances, the approach of the Friar's party would have been

noticed by Zuñi scouts days before he got to Zuñi, and the Friar and his Indians would have been cut off en route. Even had the Zuñi been without any apprehension, the Friar's approach would surely have been reported by people who were out hunting and collecting long before he got to the settlement. Indians don't spent their time sitting in their villages unaware of what goes on within sight of their habitations.

The scrutiny of the account could be continued, but these items, together with the calendar of the itinerary itself, suffice to show that the *Relación* is malodorous throughout. Not only is a move against Cortez involved in the account, but it is significant that none of the survivors of Narváez' party was chosen for the trip except the Negro slave who had been bought by Mendoza. The omission of all reference to their priority indicates a deliberate suppression. The reason I do not know, unless this might have clouded the title which Mendoza was anxious to secure to the northern country. The men of Narváez were from the islands and of a different jurisdiction. The purpose of Narváez' expedition was another attempt to establish a separate government to the north of New Spain. Mendoza was anxious to extend title northward and block off both Cortez and claims originating from the islands. The document of Fray Marcos is to be regarded as a political instrument. In order to attain these ends, it became a tissue of fraud, perhaps without equal in the history of New World explorations.

Berkeley, California

Sept. 19, 1940

EDITORIAL SECTION

Was Fray Marcos a Liar?—Last year in a paper on “Who Discovered New Mexico?” I gave some space to the question whether Fray Marcos de Niza reached the land of the Pueblo people as represented in his *Relación*. As I then stated,¹ I was making no attempt to give a complete survey of the long-standing controversy; I did, however, call attention to three errors of more or less importance in our reading hitherto of that *Relación*, and also to a significant oversight in Dr. Sauer’s reading of the letter from Coronado to Charles V, dated at Compostela on July 15, 1539. According to Zuñi tradition, the black rascal Estevanico had long before that date been kicked to Kingdom Come, but Coronado’s letter shows that *when he wrote it*, he did not yet know the negro was dead, and an unavoidable deduction is that Fray Marcos had not yet returned to Compostela,—although this seems not yet to be accepted by Dr. Sauer in his paper elsewhere in this issue.²

Lest it be thought that “all the packing is out of this case,” we now call attention to a point which has been disregarded in another of Coronado’s letters, that written to the viceroy from Culiacán on March 8, 1539, in which Coronado states that Fray Marcos “proceeded farther inland on the seventh of last February.”³ The editors of the text cited state in a note that this should read “March 7” (the date given by Fray Marcos himself in his *Relación*); and they conclude, in a final note, that Coronado’s letter as we now have it is wrongly dated.

1. N. M. HIST. REV., XV, 130-1.

2. The basis for our statement is a little clause of four words. In his letter, Coronado stated that Fray Marcos had been accompanied by the negro “que se dice Estévan” (who is called Estévan).

Another unavoidable deduction from this Coronado letter (as I pointed out a year ago) is that the friar’s *relación* mentioned by Coronado could not be the *relación* which we now have.

3. Hammond and Rey (eds.), *Narratives of the Coronado Expedition*, 42-45, translated from the Italian text of Ramusio.

Of course if we change the date in the text (February 7 to March 7), we must also change the date of the letter; for it would be absurd for Coronado, writing on March 8, to say that Fray Marcos had "proceeded farther inland on the seventh of last March"! For the same reason, we cannot infer that the letter was written on March 18 or any other day in that month.

But if both dates are moved forward a month, what is the result? Then, *writing on April 8*, Coronado would be saying in his opening sentence, "God willing, on April 10 I shall leave this land of San Miguel de Culiacán for Topira," and (he continued) it could not be done sooner for he was awaiting the arrival of powder and fuse being sent by the viceroy which "must have reached Compostela by now"—April 8 and a hundred leagues from Culiacán! If we are precluded from this change in date also, then obviously the date of the letter as we have it cannot be wrong.⁴

If the dates of this Coronado letter cannot be changed, then Fray Marcos did start out from Culiacán on February 7 instead of March 7. If it is surprising that he should have made a mistake of a month as to this date, we might remember that he wrote the *Relación* which we have in August, more than six months later, after an arduous journey of many dangers and trials. Also the earlier date fits in with other known facts: Coronado delivered the viceroy's instructions to Fray Marcos at Tonalá on Nov. 20, 1538,⁵ and then escorted him via Compostela north to Culiacán; and there on March 8 (according to this letter) he wrote to the viceroy that Fray Marcos had gone on inland a month before.⁶

If we accept as correct the dates given by Coronado in this letter, then we shall hesitate to accept the identification of the place "Vacapa" advanced by Dr. Sauer.⁷ With a time period in this part of the journey of a good six weeks instead

4. *Op. cit.*, p. 42.

5. *Op. cit.* "Acceptance by Fray Marcos," p. 61.

6. A month's delay in Coronado getting off for Topira may have been a factor in the failure of his rendezvous with Fray Marcos at Corazones, 120 leagues from Culiacán. *Op. cit.*, "Mendoza to the King," p. 53.

7. *N. M. Hist. Rev.*, XII, 279-282.

of two, it may be well to reconsider the identification of "Vacapa" by Adolph Bandelier as the modern Matape.⁸

The present writer is not acquainted with that country, but Bandelier was a pioneer field investigator in the history and archaeology of our Southwest, including the Sonora country, and the reasons which he presents for locating "Vacapa" much farther north than does Dr. Sauer find added weight in this Coronado letter. In fact, the two Coronado letters seem definitely to relieve the difficulty as to the time factor at both the beginning and the end of Fray Marcos' journey.

Regarding other difficulties stressed by Dr. Sauer, it is of course absurd to think of Fray Marcos pushing along during midday summer heat; travel during early and late hours and night travel by moonlight were doubtless practiced then as now; also while the rainy season would make travel difficult it would not make it impossible. Nor can I conceive of Fray Marcos staying at Compostela while an advance messenger went on to Mexico City and returned before Fray Marcos started for that city. It is more reasonable to think that Fray Marcos proceeded at a more leisurely rate and was well along that last stretch when any reply reached him.

Was Fray Marcos a liar? All in all, we must admit at least that "reasonable doubt exists" and it is a good old principle that a man is innocent until he is proven guilty.

L. B. B.

8. This is found in his paper first published in *The Magazine of Western History* (1886), and reprinted in the *N. M. HIST. REV.*, IV, 28-44, where see especially pp. 32-33.

NECROLOGY

HENRY BERT JONES

Henry Bert Jones was born at Marcellus, Michigan, December 5, 1877, the son George W. and Lizzie Osborne Jones. He attended the public schools of Marcellus, the Ypsilanti Business College, and the State Normal School at Ypsilanti. He returned home at the time of his father's death in 1896 to assist his two older brothers in the settlement of his father's estate. He secured a position in the bank there, and when but nineteen years of age was made cashier, holding that position until October, 1901, when he located at Santa Rosa, New Mexico, organizing the Guadalupe County Bank, which opened December 9, 1901. He was cashier of that institution until 1902, when he purchased the interest of Mr. Jefferson Reynolds in the First National Bank of Santa Rosa, through which he liquidated the Guadalupe County Bank. In April, 1910, he was made president. That same year, he purchased the interest of W. F. Buchanan in The First National Bank of Tucumcari and became president. He had previously organized the Torrance County Savings Bank at Willard and soon after gained control of The Roy Trust and Savings Bank and the Stockman's Bank of Corona. He later acquired an interest in the First National Bank of Carrizozo, being given the presidency, and bought into the bank at San Jon. He carried the seven institutions successfully through the post-war depression of 1920-1922. However, Mr. Jones' personal fortune was depleted at that time. He later sold his interest in the Willard and Carrizozo banks and liquidated the banks which originated at San Jon, Corona, and Roy. Mr. Jones' banking reputation was based on the fact that no depositor ever lost money in one of the "Jones" banks, and his borrowers always considered his treatment of them as being absolutely fair. He was president of The First National Bank of Santa Rosa and The First National Bank at Tucumcari until his death. In 1936, he became a director of The First National Bank of Santa Fé.

On May 24, 1906, Mr. Jones was united in marriage to Miss Grace Phillips, who was born in Odessa, Missouri. To them on July 26, 1908, was born a son, George Wilbur Jones. Mr. Jones was a Mason, a Shriner, and an Elk. He contributed to the Presbyterian Church in Tukumcari.

He was a member of the original commission to draft the first banking laws of the State of New Mexico. He was an early president of the New Mexico Bankers Association, and was a vice-president of the American Bankers Association. He was the first president of the Tukumcari Kiwanis Club, an early president and for many years a director of the Tukumcari Chamber of Commerce, and a member of the Canadian Valley Development Association. Until a short time before his death, he was president of the Arch Hurley Conservancy District. During the World War, he was a member of the War Finance Corporation of the Dallas District and, in more recent years, he was a member of the board of the Regional Agricultural Credit Corporation, first at Wichita and later at Santa Fe, New Mexico. He was a member of the New Mexico Historical Society.

Mr. Jones' chief hobby was traveling. When twenty years of age he bicycled through most of Europe. In his later years, he traveled extensively. Among the countries and sections of the world he toured are Alaska, Mexico, Guatemala, Canada, South America, and most of the West Indies. He visited all the countries of Baltic Europe, and was in Danzig only several days previous to its occupation by Hitler's soldiers. On his last extensive journey, he covered India, Malaysia, the Netherlands Indies, the Philippines, Japan, and Hawaii. Because of unsettled conditions, Shanghai was the only point in China which he touched.

At the time of his death, March 19, 1941, at sixty-three years of age, he was the senior bank officer of New Mexico in terms of years of service as a bank executive in this state.

He is survived by his wife, his son and daughter-in-law, and one sister (Mrs. J. T. Graham, of Marcellus, Michigan).

The Historical Society of New Mexico
(INCORPORATED)

Organized December 26, 1859

PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.
1861 — MAJ. JAMES L. DONALDSON, U. S. A.
1863 — HON. KIRBY BENEDICT
adjourned sine die, Sept. 23, 1863

re-established Dec. 27, 1880

- 1881 — HON. WILLIAM G. RITCH
1883 — HON. L. BRADFORD PRINCE
1923 — HON. FRANK W. CLANCY
1925 — COL. RALPH E. TWITCHELL
1926 — PAUL A. F. WALTER

OFFICERS FOR 1940-1941

PAUL A. F. WALTER, *President*

JAMES F. HINKLE, *Vice-President*

MIGUEL A. OTERO, II, *Vice-President*

LANSING B. BLOOM, *Cor. Sec'y-Treas.*

MISS HESTER JONES, *Recording Secretary*

FELLOWS

- | | |
|---------------------|----------------------------|
| PERCY M. BALDWIN | EDGAR L. HEWETT |
| RALPH P. BIEBER | FREDERICK W. HODGE |
| WILLIAM C. BINKLEY | ALFRED V. KIDDER |
| LANSING B. BLOOM | J. LLOYD MECHAM |
| HERBERT E. BOLTON | THEODOSIUS MEYER, O. F. M. |
| AURELIO M. ESPINOSA | FRANCE V. SCHOLES |
| CHARLES W. HACKETT | ALFRED B. THOMAS |
| GEORGE P. HAMMOND | PAUL A. F. WALTER |

CONSTITUTION

OF THE

HISTORICAL SOCIETY OF NEW MEXICO

(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

JULY, 1941

No. 3



PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY
THE HISTORICAL SOCIETY OF NEW MEXICO
AND
THE UNIVERSITY OF NEW MEXICO

NEW MEXICO HISTORICAL REVIEW

Editor
LANSING B. BLOOM

Managing Editor
PAUL A. F. WALTER

Associates

PERCY M. BALDWIN
FRANK T. CHEETHAM

GEORGE P. HAMMOND
THEODOSIUS MEYER, O. F. M.

VOL. XVI

JULY, 1941

No. 3

CONTENTS

- Contraband Trade Between Louisiana and New Mexico
in the Eighteenth Century Henri Folmer 249
- The Government and the Navaho, 1878-1883
Frank D. Reeve 275
- Troublous Times in New Mexico, 1659-1670 (Con-
clusion) France V. Scholes 313
- Indian Affairs in New Mexico Under the Administra-
tion of William Carr Lane. From the Journal of
John Ward (Concluded).
Edited by Annie Heloise Abel, Ph.D. 328
- Childhood Memories of the Rio Grande in Flood
Maude McFie Bloom 359

Subscription to the quarterly is \$3.00 a year in advance; single numbers (except Vol. I, 1-4, and II, 1) may be had at \$1.00 each.

Volumes III-XV can be supplied at \$4.00 each; Vols. I-II are out of print in part.

Address business communications to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Mr. Bloom at the University of New Mexico, Albuquerque, New Mexico.

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

JULY, 1941

No. 3

CONTRABAND TRADE BETWEEN LOUISIANA AND NEW MEXICO IN THE EIGHTEENTH CENTURY

By HENRI FOLMER

THE STRICT regulations of the trade with the Indies necessarily forced merchants—Spanish as well as foreign—to search for ways to evade the monopolistic policies of the Casa de Contratación and the regulations concerning the entry of goods into New Spain. C. H. Haring has, in a very fine study,¹ dealt with the many methods which were employed, in Spain and in the New World, to increase trade and profits by evading the regulations as to ports of entry, licenses, duties, and monopolies.

This contraband trade by way of ships was very important to the colonies. Goods were scarce and when brought in on the Spanish fleet—after payment of all the export and import duties, the taxes levied for the expenses of the fleet, etc.,—prices were exorbitant. No wonder, therefore, that the colonists rather welcomed the contraband trade. This was particularly the case in those provinces which were situated at considerable distances from Vera Cruz. Not only had the goods to bear the expenses mentioned here, but an additional cost was the transportation of the articles from the coast or the capital to the interior.

It is easy to imagine how rare and expensive goods must have been in the outlying provinces like New Mexico, Texas, and others. Situated as they were, far from the coast, and

1. C. H. Haring, *Trade and Navigation between Spain and the Indies* (Cambridge: Harvard University Press, 1918).

without skilled native or Spanish labor, merchandise was almost totally lacking, and even the scant supply was of very poor quality.

The proximity of Louisiana, after the occupation by the French of the Mississippi valley, was therefore a natural threat to the monopolies of the Spanish crown.

In spite of the wilderness which separated the Spanish northeast frontier from Louisiana and the wild tribes who roamed across the Great Plains, French traders were very much attracted toward contraband trade with New Spain. Goods were plentiful and reasonably priced in the French colony, and transportation by water from Biloxi or New Orleans made distribution easy and inexpensive, compared with the slow mule train which left Mexico City once a year for the north.

The first man actually to establish contact between Louisiana and New Spain was Juchereau de St. Denis.²

Crozat had sent instructions to his newly appointed governor, La Mothe-Cadillac, to open trade with the Spaniards of New Spain. It was well known that Mexico abounded in silver and was extremely poor in merchandise. Le Page du Pratz, who traveled in Louisiana, writes an interesting story on this subject, which illustrates very well the current ideas the French possessed on the possibilities of trade with the Spaniards, and explains the eagerness of the French traders to open this commerce. This account is translated here in the belief that it explains the reasons

2. On St. Denis cf.: B. F. French, *Historical Collections of Louisiana and Florida* (new series; New York: Sabin and Sons, 1869), pp. 84-133; A. McFarland Davis, in Justin Winsor, *History of America* (Boston and New York: Houghton Mifflin Co., 1889), V, 25 ff; Le Page du Pratz, *Histoire de La Louisiane* (Paris: 1758), I, 1-24; C. W. Hackett, *Pichardo's Treatise on the Limits of Louisiana and Texas* (Austin, Texas: University of Texas Press, 1931), I, 218-225; Pierre Margry, *Découvertes et Etablissements des Français dans l'Ouest et dans le Sud de l'Amérique Septentrionale* (Paris: Maisonneuve, 1879), VI, 193-238; E. J. P. Schmitt, "Sieur Louis de Saint Denis" in *The Quarterly of The Texas State Historical Association*, I, No. 3 (January, 1898); C. C. Shelby, "St. Denis' second Expedition to the Rio Grande, 1716-1719" in *The Southwestern Historical Quarterly*, XXVII, No. 3 (January, 1924), H. H. Bancroft, *History of the North Mexican States and Texas* (San Francisco, 1886), I, 609-629.

which inspired the French to search for the Santa Fé Trail. Le Page du Pratz says that he obtained the story from a French trader.³

“One day,” he told me, “I went with two pack mules, loaded with merchandise, to the first cabin I saw to inquire about the route which I should take. I saw standing in the door a tall man, quite brown of complexion and hair, and a black moustache, which he twisted more than twenty times before I was close enough to him to ask him the road; he was barefooted and the only garment he had was a pair of trousers of which the legs fell down on his heels;⁴ his shirt, made of two skins, had no color, neither did his trousers. I can but say that they were very dirty. He covered his head with a handkerchief of similar color and dirt.

“After having greeted him politely, I asked him the road I wanted to take; he returned me my greetings with all the earnestness of a Spaniard, and without answering my question: Do you have there, he asked me, merchandise which deserves to be seen? . . .

“As I brought the first pack inside I saw a woman, crouched to make fire; hearing my greetings, she lowered her veil to answer me and to look at me; she was able to see me easily because of the holes and tears, the same as I could look at her, in spite of the apparent obstacle which hid her face. She was pretty and a graceful smile made me judge that my arrival did not displease her. She had but her veil on her head, and the only garment, a corsage and a skirt, which were sewn together; the corsage was so torn that her breasts were entirely visible, with no sign of a chemise. It was not long before I saw two worthy offspring of this illustrious family who might be eight to ten years old and were dressed in the style of our first father when he was made by the hands of the Creator.

“I had hardly unpacked a load when I saw an oilcloth, which had served as packing material, be-

3. Le Page du Pratz, *op. cit.*, II, 273-78. It is quite possible that Le Page du Pratz got this account from St. Denis himself.

4. Long trousers were considered a sign of poverty.

ing washed with a sponge; this was the tablecloth on which a wooden dish, made by the Indians, was placed; this dish was filled with a dozen ears of roasted corn and immediately the master invited me to dinner: as I had walked, I needed the rest; the lady offered me a wooden stool, which obliged one of the children to stand, because there were only four. I ate with appetite this frugal meal, drinking water out of a calabash; I knew that the Spaniards are proud and I doubted if this one would accept money for my meal; I wanted to compensate him with a present; I drew from my pocket a small bottle of brandy; I gave a drink to the husband, I offered one to the woman who refused it.

"Afterwards I showed my merchandise. He bought from me two pieces of linen from Brittany, which are six ells apiece; two pieces of Platile of the same length; this was for the lady, because their chemises are not visible;⁵ this linen is not appropriate to show, it is so thin that when a Negress wears it, her black skin is visible. They wear them nevertheless when they can obtain it and then every place where a needle can pass is embroidered with blue thread. I sold this Spaniard also a pair of red silk embroidered stockings and a piece of lace for the woman. When it was time to pay me, he made me enter the bedroom, because I saw two beds on the floor, made of boards, cut with a hatchet. One of the beds was without doubt for the father and mother, the other one for the children; I noticed also, hanging on the wall, a doublet, a pair of trousers of green velvet, and an embroidered shirt, which seemed to have been white; this shirt covered a sword, of which I saw the scabbard. There was near there a small trunk, which was without doubt the wardrobe of the Lady, the clothes of the children seem to serve them as a pillow.

"Finally, the strong box was opened; there was a pile of about five or six hundred dollars in a corner of the box, covered with a large deer skin; my money was counted on a large bench which was right near. I thanked the Spaniard and left with-

5. Reference to Spanish way of dressing, in contrast with the French.

out regrets this Castle of Bourzillage and covered with grass.

“‘Heavens!’ I said to myself, ‘if we are not better housed than the Spaniards when we settle here, at least we are better dressed; and without wearing velvet on Sunday, we have the body properly clad; and if we do not have dollars, we have instead a good life; we have wheat, meat from the hunt and the poultry yard; we have fish and vegetables in abundance; the poorest inhabitants in our colonies have all these commodities, which to my mind is better than starving to death beside a pile of dollars.’”

This is the story which the settler of Louisiana told me; he found the same thing in many other places of which he told me; but what I have just told must be enough to prove the extreme difference between the Spanish settlements and those of our Colony.

No wonder that such tales encouraged the French to search for a route leading to these chests, filled with silver dollars.

La Mothe-Cadillac sent Saint Denis, or, as he is called, Juchereau de St. Denis, to Mexico to open this lucrative trade. The first expedition to Mexico was made in 1714. With an amount of merchandise valued at 10,000 livres, St. Denis left Mobile, accompanied by twenty men and in the possession of a passport to the Spanish governor. Traveling in canoes, the party ascended the Mississippi, then the Red River to the village of Natchitoches. In exchange for presents, the Indians helped them to construct two houses in the Indian village. After a sojourn of six weeks with the Natchitoches, St. Denis went farther, on August 23d, taking with him twelve Frenchmen, fifteen Tanicas, and an equal number of Natchitoches Indians, leaving ten of his men to guard his goods stored in the village of the Natchitoches. After forty-five days of travel, St. Denis reached the Rio Grande at the post of St. John the Baptist. The Spanish commander of this post, Captain Ramón, kept the French party in custody and advised the viceroy of the arrival of the French intruders. St. Denis, while staying at Don

Ramón's house, fell under the charm of his host's niece, Doña María, whom he later married. The viceroy, the Duke de Linares, ordered St. Denis to be sent to Mexico City, where he arrived on June 5, 1715. The viceroy received him well and sent him to conduct nine missionaries among the Indian tribes of Texas.⁶

Returning to his beloved Doña María on the Rio Grande, he married her and took her to Mobile, where he arrived on August 24, 1716.

Having given an account of his journey to La Mothe-Cadillac, St. Denis proposed to Messrs. Graveline, de Léry, de la Fresnière, Beaulieu frères and Derbanne, all Canadians, to become his associates in a second expedition to Mexico.⁷ They bought 43,200 livres worth of merchandise on credit and St. Denis left Mobile on October 10, 1716, with two-thirds of the merchandise. Graveline, La Fresnière and Beaulieu followed later with the other third of the goods.

On December 24th St. Denis reached the Assinai Indians, where he waited for his partners. On the 6th of April, 1717, he reached the post of his wife's uncle. Captain Ramón found it necessary to keep the merchandise of his niece's husband and to inform the viceroy of the renewed intrusion of the French traders. St. Denis left on April 15th for Mexico to obtain a release of his goods, but here he was imprisoned. He was kept in prison till December, 1717, when he was allowed to move freely within the city. Having succeeded in freeing his goods, he had them sold at a large profit in the province of New Leon. St. Denis must have been a gay prisoner, because Bénard de la Harpe writes in his journal⁸ that he spent all his money in Mexico. After a while he got in trouble with the authorities and, on the verge of being

6. It is interesting to observe that St. Denis served the Spanish interests as much as the French, in the occupation of Texas. Anyhow the Spaniards employed him to establish missions in Texas. Cf. R. C. Clark, "Louis Juchereau de Saint-Denis and the Re-establishment of the Tejas Missions" in *The Quarterly of The Texas State Historical Association*, VI, No. 1 (July, 1902).

7. Margry, *Découvertes*, VI, 200 ff.

8. *Ibid.*, p. 202. Cf. also: V. A. Robles, *Coahuila y Texas en la Epoca Colonial* (Mexico, D. F.: Editorial Cultura, 1938) pp. 425-441.

arrested again, he escaped on September 5, 1718, arriving at Isle Dauphine in March, 1719.

His associates, in the meantime, had left Natchitoches on November 22, 1716,⁹ reaching the village of the Assinai two months later. Here, they found Spanish missionaries established, under the protection of a captain and twenty-five soldiers. On March 22, 1717, the French left the Assinai for the Rio Grande, accompanied by their pack mules and a Spanish muleteer. On their journey a band of sixty mounted Apaches attacked them, but seeing that the French showed no intention of fleeing, they left the traders and attacked the pack train which was following, taking twenty-three mules, the muleteer, and a mulatto woman, with them. On April 21st the traders reached the Rio Grande at the Presidio del Norte, composed of two missions, the mission of St. Jean de Baptiste and of St. Bernard. This was the same post where St. Denis arrived previously. Here again, the missions were under the protection of a Spanish garrison, under the command of Don Ramón, Madame St. Denis' uncle.

While staying here the French learned about the end of La Salle's expedition on the coast. The traders sold the remainder of their goods at a considerable profit during the summer, through the missionaries, in order to avoid confiscation, and leaving the Presidio del Norte on September 1st, the party reached the Isle Dauphine on October 26th.

The entry of St. Denis and his associates alarmed the Spanish authorities, as is evident from the following letter:

Copy of a letter¹⁰ from Mexico of the twentieth of September, 1715, which arrived by way of water to Corogne on the twenty-first of May, written to Mr. Gallut, formerly treasurer of the Viceroy of Mexico, by one of his friends who is now in the service of the viceroy.

I sent you a copy of the account of the entrance of the French which I made to his excellency Mon-

9. Margry, *Découvertes*, VI, 202-11.

10. Archives Nat. Colonies, C 11, 36:415. A copy of this letter is in the possession of the Library of Congress.

sig. the Duke De Linares, Viceroy of Mexico, which account he sent signed by me to the King of Spain. These French come from Mobile to the interior of the country. On the map you will note the proximity of Canada to New Mexico and the other Spanish territories by the routes which are marked on it. This, the laws of the Recompilation of the Indies did not foresee because no one dreamed that the two nations were so close to each other as to start fighting one with another, even in the new world. This obliged the Viceroy to send missionaries, a captain and twenty-five soldiers to this place, which you will see marked as Asinay or the Texans, with the intention apparently to prevent the transportation of merchandise from Mobile into the interior of the country. After the arrival of the fleet, it is his intention to lay also a garrison in the Bay du St. Esprit, through which place the Texans, who are at a distance of only forty leagues, will receive help.

But in my opinion, instead of halting the trade, this will build the deepest foundations for an encouragement of the commerce. In Mobile there are no mules nor pack horses, neither enough men easily to pass through so many Indian tribes, living along the 280 leagues of the regular route from Mobile.

It will not be difficult to transport the merchandise to the Bay du St. Esprit where these very Spaniards can sell the goods into the interior.

Also the distance from Natchitoches, which belongs to the French, to the Texans is but forty miles. In the same fashion, the governors can from there distribute the goods to their friends in the interior.

This will happen when, by placing armed forces in these places, the French can sell their goods with less danger from the Indians.

Mexico has no other trade but with the interior and will lose through the trade with Mobile. The entry duties at Cadiz and at Vera Cruz, the revenue of the alcavales, of the fifth, and those of the export duties of the Kingdom, and also at Cadiz, will be avoided.

This will allow the French to sell fifty per cent

cheaper. Furthermore the proximity of the Canadian borders and of Mobile, which are united by the Mississippi will some day be the cause of great trouble between the two crowns if the frontiers are not defined by two Commissaries of the two parties.

Already the French from Illinois and of Montreal have passed the Missouri River and even the mountains which ought to determine the possessions of the two crowns. Without [a definition of the frontiers] soon the two countries will be confused in the knowledge of their territory. I believe that you should call the attention of the French Court to this fact because from here we have sent to the Court of Spain a memorandum, signed by me, in order that his Catholic Majesty may supply the remedies which are necessarily asked for by such considerable inconveniences as the confusion of frontiers and trade. It is certain that the trade of Spain will be ruined with the importation from the North of French goods.

.

[Another Chapter in the Same Letter:]

The frontiers between the French and the Spaniards on this continent ask for a speedy settlement. The establishment of a post on the Bay du Saint Esprit by Spain could create a battlefield between the two nations, because the Canadians, who are here, tell me that this bay belongs to the French, owing to the fact that formerly it belonged to Mr. de la Salle, commanding three ships of His Very Christian Majesty, sent there for this discovery and that it was abandoned only because of delay in succor from France.

In 1719 Bénard de la Harpe established a trading post at the Nassonites with the object of opening a profitable commerce with the Spaniards. To this effect, de la Harpe wrote to the Franciscan Father Marsillo, of the mission of the Assinai, and proposed, on the advice of the Spanish priest at the Adayes Mission, to open trade relations between the French and the Fathers.¹¹ The Spanish missionaries

11. Margry, *Découvertes*, VI, 267 ff.

were to receive a commission of five per cent on the total of the sales.

In 1720 a Spanish military expedition, led by Pedro de Villasur, went out to locate the French traders in the neighborhood of the northeastern frontier, in order to destroy their posts and take the French back to New Mexico.¹²

Instead of finding any French traders, the Spaniards met Pawnee Indians and their allies, who attacked them at dawn and killed almost the entire force. A few escaped to tell the tale of sorrow to the settlers of Santa Fé and Taos, while Father Juan Mínguez, the priest accompanying the Spaniards, was taken alive by the Indians, and brought back to their village. Here he was held a prisoner, and was requested to show the Indians how to ride a horse.¹³ However, no sooner had this priest mounted the captured horse than he sped away on it, thus escaping.

In 1723 and 1724 orders were issued by the Spanish king forbidding trade with foreigners, when it appeared that settlers from New Mexico had bought \$12,000 worth of merchandise from the French and that an illicit trade was conducted with the merchants of Louisiana.¹⁴

It does not seem likely that the French traders brought their merchandise to Taos or Santa Fé or that the Spaniards ever came to the Mississippi, but it is quite probable that the goods were introduced by way of the different trading posts the French possessed in Texas, like the one de la

12. On Villasur's expedition, cf. H. Folmer, "French Expansion towards New Mexico in the Eighteenth Century" (unpublished M.A. thesis, Dept. of History, University of Denver, 1939), pp. 84-92.

13. Cf. A letter from Lallemand to the Compagnie des Indes, Archives Services Hydrographiques (Paris: Cartes et Plans), Vol. II5x, No. 29. A MS. copy of this letter is in the possession of the Library of Congress. It is not known whether he reached New Mexico. He is said to have been the first minister at Albuquerque (1706); in 1708 he was baptizing at Taos; in 1713 he was at Santa Fé; but the author was unable to find his name again after 1720. Nevertheless the French sources seem to show that Father Mínguez was not killed at the Platte river. For some of the conflicting statements, cf. R. E. Twitchell, *The Spanish Archives of New Mexico* (Cedar Rapids 1914), II, 170-174.

14. H. H. Bancroft, *History of Arizona and New Mexico* (San Francisco: The History Co., 1889), pp. 238-9; A. B. Thomas, *After Coronado* (Norman, Okla.: University of Oklahoma Press, 1935), pp. 245 ff.

Harpe built at the Nassonites, or of the settlement on the Arkansas. Whatever the trail was along which the goods travelled, in 1723 Governor Bustamante allowed the settlers of New Mexico to buy from Gentiles coming to Taos or Pecos.¹⁵ Of the testimonies taken by Governor Bustamante in 1723 during his investigation of illegal trading between French Louisiana and New Mexico,¹⁶ not a single one admits this trade. Reproduced here is the letter of the viceroy to the governor of New Mexico, translated by Professor Thomas and edited in his book, *After Coronado*:¹⁷

Investigation of Illegal Trading between French Louisiana and New Mexico, 1723.

Orders for Council of War, Santa Fé, April 19, 1724.

Edict. Villa of Santa Fé, the nineteenth of April, 1724. General Don Juan Domingo de Bustamante, governor and captain-general of this kingdom and the provinces of New Mexico for his majesty, having received on the tenth of the said month a letter from his excellency, the Marqués de Casa Fuerte, viceroy, governor and captain-general of New Spain, dated the twenty-third of October of last year, inserted it in this decree, as follows:

Letter. By a royal dispatch of the tenth of May of this year his majesty is pleased to inform me of the fact that the Spaniards of this region have been buying from the French in the colony of Louisiana merchandise to the amount of twelve thousand pesos, and on this information his majesty orders me to proceed to punish most severely those who may be found guilty of this illicit commerce. In consequence of this intelligence, I notify you to make an investigation of those persons who may have done this in contravention of royal orders. Put them on trial and secure them (if you prove the fact), exerting the greatest energy and vigilance in preventing by every possible means and effort any illegal trading with the French that

15. Bancroft, *op. cit.*, pp. 238-9.

16. Thomas, *op. cit.*, pp. 245-56.

17. *Ibid.*, pp. 245-6.

may have been introduced. For although this may have been thought to be very improbable on account of the distance and the uninhabited state of both regions, which makes the transportation of anything almost impossible, nevertheless it behooves you to be very vigilant to prevent this crime (whether it exists or whether it is planned), and I advise you that any omission that may be made in the execution of this command will constitute a serious charge. You are to send me advices as to the reception of this letter and of what you may do by reason thereof. I pray God to preserve you many years. México, October 23, 1723. To Señor Don Juan Domingo de Bustamante.

Governor Bustamante informed the viceroy by a letter of April 30, 1727, that the French had settled at El Cuartelejo and on the Rio de Chinali, proposing an expedition to find out about these French settlements, but nothing was done.¹⁸ This may have been some rumor in connection with de Bourgmond's expedition in 1724 to the Padoucas.

Captain Amos Stoddard, in his *Sketches of Louisiana*,¹⁹ says:

While Louisiana was in the hands of France, some of the French traders from the upper Mississippi transported a quantity of merchandise by way of the Arkansas to the Mexican mountains, where they erected a temporary store and opened a trade with the Indians and likewise with the Spaniards of north Mexico. The Spanish traders at or near Santa Fé, deeming this an infringement of their privileged rights, procured the imprisonment of the Mississippi adventurers, and the seizure of their effects; and demanded punishment and confiscation. The cause was ultimately decided at Havana. The prisoners were liberated and their property restored on the ground that the store in question, (situated on the east side of the summit of the mountains, and

18. *Ibid.*, pp. 256-60.

19. Amos Stoddard, *Sketches, Historical and Descriptive of Louisiana* (Philadelphia: Mathew Carey, 1812), p. 147.

below the source of the Arkansas) was within the boundaries of Louisiana.

Unfortunately Captain Stoddard does not give any further information about this event, and it is not known in what year this happened.

The defeat of Villasur in 1720 was reported to the French by the Indians. The French Company of the Indies became seriously alarmed, and feared a return of the Spaniards, even an invasion of the Illinois country. The Company therefore sent de Bourgmond,²⁰ a *coureur de bois*, in 1723 to the Missouri to construct a post. This fortified trading post was garrisoned and was intended to keep the Spaniards out of this region and to serve as a base from which goods were to be shipped to New Mexico.

The route from the Mississippi to New Mexico was unknown, but de Bourgmond knew the Missouri country. While serving as an officer in the army in Canada, he had followed an Indian love to her tribe and lived for many years in the Missouri village.

De Bourgmond was also instructed to find a trail to New Mexico across the wilderness and to open trade with the Spaniards. In 1724, this Frenchman set out, with a small group of soldiers and some Indians, on his journey towards New Spain, which he did not reach because of illness. It was not until 1739 that a group of eight Frenchmen finally discovered a route between the Mississippi Valley and New Mexico.²¹ While crossing a river, their packtrain of horses with all their merchandise had been lost, and the Mallet brothers and their companions reached Santa Fé without any goods to trade. They intended to open commerce between that town and New Orleans and remained in the capital

20. On Etienne Veniard de Bourgmond, cf. H. Folmer, *op. cit.*, pp. 100-198. On Fort Orleans cf. G. J. Garraghan, *Chapters in Frontier History*, (Milwaukee: The Bruce Publishing Co., 1934) pp. 91-93; same author, "Fort Orleans of the Missouri," *The Missouri Historical Review*, XXXV, (April 1941), 373-384; M. de Villiers, *La Découverte du Missouri et L'Histoire du Fort d'Orléans* (Paris, 1925).

21. On the Mallet expedition, cf. H. Folmer, "The Mallet Expedition of 1739 through Nebraska, Kansas and Colorado to Santa Fé," *The Colorado Magazine*, XVI, No. 5 (Sept., 1939).

of New Mexico for almost a year, waiting for a reply from the viceroy in Mexico City. They brought back with them a letter²² from the vicar of Santa Fé which throws an interesting light on the contraband trade, showing that the Spanish colonists welcomed it:

Project of trade relations between Louisiana and Santa Fé.

Copy of a letter, addressed to Father Beaubois by Father Sant Iago de Rebald, vicar and ecclesiastical judge in New Mexico.

Upon this occasion, I write to you, Sir, concerning nine Frenchmen who came from New France, called Pierre and Paul brothers, La Rose, Phillippe, Bellecourt, Petit Jean, Galliere and Moreau, who have told me of their plan to introduce a trade in these provinces, which at the present time does not possess any, but, if one would allow them to execute their plan, one could easily overcome this obstacle, because we are not farther away than 200 leagues from a very rich mine, abounding in silver, called Chiquagua, where the inhabitants of this country often go to trade, and if they saw a possibility of using what they could get there, this would encourage them to exploit several mines, which they have. As these Frenchmen spoke about your Reverence and of the good credit you possess in the province and city of New Orleans, I write to you in Spanish and not in Latin, in order not to disturb you, and to inquire about the state of your health, which I hope to be perfect and wishing you prosperity, offering you my service. I occupy here the place of vicar and ecclesiastical judge in this kingdom. My Reverend Father, these Frenchmen made me understand that I could ask you for the merchandise which I need in order to provide for the needs of my family and that I could obtain it easily through your good office, because of the credit you possess among your people. I therefore profit without delay from this occasion to ask you to procure me the amount of the list herewith

22. Translated from Margry, *Découvertes*, VI, 464 ff. On Father "Santiago Roybal," the correct name of this ecclesiastic, cf. NEW MEXICO HISTORICAL REVIEW, XV (Jan. 1940), 93.

included and to send it to me, if possible, informing me of the price in silver or reals, which I will pay as an honest man and as soon as I can. In spite of the fact that I live in a kingdom where money flows but little, what I gain with my chaplainship is paid to me in silver, or reals, which I could save, but for the future I have four thousand Piasters at Chiquagua, which I will have sent over after receiving the answer of your Reverence, and we will know whereupon we can count, on condition that I am satisfied with the merchandise from your country; but, according to what has been told me, I presume that I shall be. Fearing to trouble you, I am the servant of Your Reverence.

It is known that the voyage of the Mallet brothers was followed by a number of other expeditions from Louisiana, but the Spanish authorities confiscated the goods of the traders, and even imprisoned them.²³ A number of these cases are still waiting for a careful investigation.

The success of Pierre and Paul Mallet in 1739 raised new hopes for the trade with New Mexico, particularly since the return voyage along the lower Arkansas had proven to be much shorter and easier than along the Missouri and across the Plains.

After a vain attempt in 1741 by the Mallet brothers to return to Santa Fé, the route to New Mexico became a well-known trail for the packtrains from Louisiana. The Santa Fé trail became a reality in the 1740's and 1750's and the officials in New Orleans dreamt of an everlasting stream of merchandise from Louisiana into New Spain and a return current of silver from Mexico to the strongboxes of the Louisiana settlers.

In fact, these dreams were even partially realized. In spite of the distances, in spite of the Indian dangers and the uncertainty in regard to the policy of the Spanish authorities, the contraband trade took on large proportions.

The Mallet brothers had shown the way, and from the

23. H. E. Bolton, *Texas in the Middle Eighteenth Century* (Berkeley: University of California Press, 1915), pp. 67 ff.

early forties pack trains crossed the wilderness each year into the Spanish provinces. The post at Natchitoches and the route of the Arkansas River were the trail whereby French goods entered New Spain.

The Spanish priests and the governors themselves were as much engaged in this illicit trade as the tradesmen. As can be seen from the letter of de la Harpe to the Spanish priests across the border at the Nassonites, and the letter of Father Roybal given to the Mallet brothers inviting the priests to trade French merchandise for Spanish silver, the French traders were welcomed by the Spanish colonists. Yet, it was contraband and against the interest of the Spanish monopoly, and (as already noted) royal orders were issued in the early twenties prohibiting the trade between New Mexico and Louisiana, and re-affirming the closing of the Spanish border to foreign goods.

Soon the traders were to learn the dangers attached to their business, when trade in contraband with New Spain became a popular occupation of the Louisiana settlers. It seems that this contraband trade took on such proportions that many of the settlers abandoned their plantations and turned towards the more profitable profession of a smuggler.

Probably one of the first Frenchmen whose arrest has been recorded was that of Jacques Velo, [Belleau or Bellet?] who, in June, 1744, came to the pueblo of Pecos. When the governor of New Mexico learned of the arrival of this French trader, he sent a sergeant with two soldiers to conduct him to Santa Fé, as will be seen in the Spanish report below. Twitchell mentions this Santiago Velo in his work, *The Spanish Archives of New Mexico*. The following passages are quoted therefrom:²⁴

456-Velo, Santiago. June 1, 1744. Judicial proceedings in the matter of the inquiry as to Santiago Velo, a Frenchman. Velo states that he is a French-

24. R. E. Twitchell, *The Spanish Archives of New Mexico* (Cedar Rapids, Iowa: The Torch Press, 1914), II, 214. On this entire contraband trade cf. the work of A. B. Thomas, *The Plains Indians and New Mexico 1751-1778* (Albuquerque: The University of New Mexico Press, 1940).

man of Tours, France, a soldier in Illinois and had come to New Mexico. Sent to the viceroy. 2f.

In 1748, the governor of New Mexico, Codallos y Rabal, mentioned this Velo again in a letter to the viceroy. Quoting again from Twitchell's translation:²⁵

Likewise I give account to your Excellency that in the month of June, of the year 1744, a Frenchman by the name of Santiago Velo, penetrated this kingdom and arrived at the Pueblo of Our Lady of the Porciuncula of Pecos. As soon as I received the news, I despatched the sargent and two soldiers to bring him to me in this Town (Santa Fé) where I took his declaration. And without the knowledge of any person I forwarded that declaration to the Most Excellent Sir Count of Fuenclara, your excellency's predecessor, (as viceroy of Mexico) along with the judicial procedures duly had thereon. Of this Frenchman's whereabouts I have had no further information, save what was given me by the Captain of the Royal Garrison at El Paso, on the Rio del Norte (Rio Grande) whose receipt I hold, acknowledging having sent him to the Governor of New Biscay.

In 1748, a Comanche Indian reported to the Spanish authorities at Taos that French traders had been in his village to buy mules in exchange for firearms. The possession of firearms by the Indians always caused much alarm among the Spaniards, and it is therefore quite natural that such reports as the above mentioned one were immediately sent to the governor and to the viceroy. From the English text by R. E. Twitchell, a sample of the Spanish correspondence on this matter follows:²⁶

499 Letter from Fr. Antonio Duran de Armijo.
"Sir Governor and Captain General—My Lord.

I report to your lordship how this day and date seven Cumanches entered this Pueblo among them the Captain Panfilo. They tell me they have come

25. R. E. Twitchell, *op. cit.*, I, 149.

26. *Ibid.*, I, 148.

in quest of tobacco, that their village is composed of a hundred lodges, pitched on the Jicarilla river, where they are tanning (buffalo) hides, so as to come in and barter as soon as the snow shall decrease in the mountains. This is what they tell me. There is nothing else to report to your Lordship, whom our Lord preserve for many years.

Taos, Feb. 27, 1748. I kiss the hand of your Lordship. Your humble servant. Antonio Duran de Armijo.

Since the above was written one Cumanche of the seven who have come, has related to me in the house of Alonzito that 33 Frenchmen have come to their village and sold them plenty of muskets in exchange for mules; that as soon as this trade was made, the Frenchmen departed for their own country, and that only two remain in the village to come in with the Cumanches when they come hither to Barter."

In 1749, three other Frenchmen visited the Taos fair. They were brought to the governor at Santa Fé, Tomàs Vélez Cachupin, by his lieutenant, Bernardo de Bustamante. The governor lodged the French traders in his palace and questioned them carefully. Professor Bolton, who had access to the document relating to this interrogation, quotes:²⁷

I asked each of the strangers his name, marital status, religion, residence, his route in coming, the country and tribes passed through, the names, location, and condition of the French settlements, their relations with the Indians, the extent and nature of the fur trade, whether the French had mines and numerous other items of interest to the Frontier Spanish authorities.

The Frenchmen were examined several times. Their names were Louis Febvre, Pierre Satren and Joseph Michel Riballo. Febvre was twenty-nine years old, a creole of New Orleans, and a tailor and barber by profession. When serv-

27. H. E. Bolton, "French Intrusions into New Mexico, 1749-1752," *The Pacific Ocean in History*, ed. H. M. Stephens and H. E. Bolton (New York: Macmillan, 1917), p. 393. (Much of the information concerning these three French traders was obtained from this article.) Cf. also Bolton, *Texas in the Middle Eighteenth Century*, p. 67.

ing in the army at New Orleans he had deserted to Canada and had come to Taos by way of the Arkansas. Pierre Satren was forty-two years old and a native of Quebec. His profession was that of a soldier and carpenter. Satren had deserted from the Arkansas post. Riballo was twenty-four years of age and born in Illinois. He was also a carpenter and a soldier and had deserted from the Arkansas post with Pierre Satren. All declared themselves to be Catholics and bachelors and were unable to write. Apparently they had heard from a member of the Mallet party about New Mexico, which had made them decide to desert the French service and come to New Spain. According to them the peace between the Jumanos and the Comanches made it possible to travel across their territories in safety. The three men had started from an Indian village on the Arkansas, west of the post, in the fall of 1748. Ascending the Arkansas River, they reached some Jumano villages, with whom the French traded regularly. Some Jumano Indians guided the three travelers to the Comanches, a distance of one hundred and fifty leagues. Here the three deserters stayed for a time, hunting with their Comanche hosts. In the spring of 1749 these same Comanches conducted them to Taos.

On June 19th of the same year, Governor Tomàs Vélez Cachupin wrote to the viceroy a report of the intrusion of these three Frenchmen. He had set the three to work in his capital. The two carpenters worked at the palace and Louis Febvre exercised his profession as barber and surgeon. Professor Bolton quotes an interesting passage from this report which he translated, reproduced herewith:²⁸

Since there is a lack of members of these professions in this villa and in the other settlements of the realm . . . it would seem to be very advantageous that they should remain and settle in it, because of their skill in their callings, for they can teach some of the many boys here who are vagrant and given to laziness. It is very lamentable that the resident who now is employed as barber and blood-

28. Bolton, "French Intrusions into New Mexico," *op. cit.*, p. 395.

letter is so old that he would pass for seventy years of age; as for a tailor, there is no one who knows the trade directly. These are the three trades of the Frenchman named Luis. And resident carpenter there is none, for the structure of the houses, and repeated reports which I have from the majority of the inhabitants, manifest the lack of carpenters suffered in the province.

Governor Vélez Cachupin consequently asked the viceroy to grant permission to the three Frenchmen to remain in New Mexico. The authorities in Mexico City, however, were not so easily convinced. The auditor general de guerra, the Marqués of Altamira, demanded further questioning of the three foreign intruders, but he advised that the Frenchmen be allowed to remain in Santa Fé. On March 5, 1750, new declarations were taken by Governor Tomàs Vélez Cachupin. It seems that these additional manifestations satisfied the Spanish authorities.

Professor Bolton, who had access also to the Spanish manuscripts dealing with these intruders, mentions the arrival of Felipe de Sandoval²⁹ in Santa Fé early in 1750. Sandoval was a Spaniard and had been captured in 1742 by the English, who kept him a prisoner for two years at Jamaica. From there he escaped on a French ship and on reaching Mobile he left for New Orleans. Finally he became a hunter at the post of the Arkansas. It was while at the Arkansas Post that he met members of the Mallet expedition, who told him about Santa Fé. Apparently this awakened his desire to rejoin his countrymen, because in the fall of 1749 he left the Arkansas Post for New Mexico, accompanied by six companions, one of whom was a German. The party ascended the Arkansas River in canoes. At the Jumano village, they saw a French flag flying over the lodges. Here, Sandoval witnessed Jumanos devouring two captives. After a sojourn of three weeks with these Indians, Sandoval's party continued its route, accompanied by twelve

29. *Ibid.*, pp. 396 ff.

Indians. Yet Sandoval and his companions separated and he had to return alone to the Jumanos, where he found a Comanche. This Comanche guided Sandoval to the Comanche village. Here he received the visit of twenty Jumanos and two French traders. The latter decided to accompany Sandoval to Santa Fé and sent their Jumano escort back. After a journey of ten days and guided by a Comanche slave trader, they reached Taos, from where they were sent to the governor at Santa Fé to explain their presence.

Late in 1750, a party of four French traders entered New Mexico and after being questioned they were sent to the interior. The author found reference to these travelers in an archive at Santa Fé which begins:³⁰

Itemized memorandum of the goods which were held in my house, brought into this kingdom by the four Frenchmen of whom I notified the Señor Governor and Captain General don Thomàs Vélez Cachupin at the Royal Presidio of el Paso on the first of December 1750. And in view of my report the said governor orders me to send on the other two Frenchmen, and the squadron corporal Juan Benavides has received the said goods in order to transport and deliver them [at el Paso], and they are as follows . . .

Evidently Lieut. Bernardo de Bustamante y Tagle at Santa Fé had already sent two of the Frenchmen to El Paso. When the seized goods arrived there (with the other two prisoners), their value was appraised. Then by public crier they were offered for sale and were bought in by Don Bernardo de Miera Pacheco for 420 pesos 6 reales; and this money was used to pay the costs of getting the prisoners to Mexico City.

Unfortunately this document does not name the Frenchmen, and one receives the impression that the merchandise which these French traders brought was of more interest to the Spanish border authorities than were its owners. But probably they were the four Frenchmen from New

30. Twitchell, *op. cit.*, II, 229, title 514.

Orleans who are said to have entered New Mexico in 1751, coming by way of the Missouri.³¹

In 1752, Jean Chapuis and Louis Feuilli reached the mission of Pecos, waving a French flag.³² They were guided by Apaches after they crossed the Gallinas River. These two traders led a pack train of nine horses, laden with merchandise. The goods were deposited by Father Juan Joseph Toledo in the convent of the mission and he informed the governor of the arrival of the two Frenchmen, who were conducted with their goods to Santa Fé. On August 9th the two traders were examined, Louis Febvre serving as interpreter. Jean Chapuis was forty-eight years old and born in France. He was a trader from Canada. While at Fort Chartres he obtained a license from the commander, Benoit de St. Clair, to go to New Mexico to trade. According to the Spanish documents³³ St. Clair gave him a French flag, which apparently was the same one he used on his arrival at the Pecos mission. Louis Feuilli had been an interpreter for eight years at the post of the Kansas Indians.

The expedition had left the Kansas Indians about the middle of March, 1752, and was then composed of ten or eleven Frenchmen. Eight or nine of them, however, returned, for fear of the Comanches, long before reaching the Spanish border, and only Chapuis and Feuilli reached New Mexico. Chapuis proposed to Governor Vélez Cachupin the opening of trade between the Missouri and New Mexico. He suggested transporting the goods up the Missouri by canoes and from there by pack horses across the Plains to Santa Fé. Because of the danger caused by the Comanches, he even suggested an escort of fifty or sixty soldiers for each caravan.

It seems that the French ignored completely the fact that foreign trade was forbidden in the Spanish colonies and

31. Bolton, *op. cit.*, p. 400.

32. Professor Bolton speaks of a white flag. Probably Father Toledo did not know that the French flag of that time was white. A. B. Thomas has given a complete account of the arrest of the two Frenchmen with a list of the confiscated merchandise in his book *The Plains Indians and New Mexico*, pp. 21-25 and 82-110.

33. *Ibid.*

were under the impression that the payment of custom duties was all that was necessary to legalize this commerce with New Spain.

The governor would not allow Chapuis and Feuilli even to return to Louisiana. Their goods were confiscated and sold at an auction and the proceeds of the sale were kept by the Spaniards to pay for the expenses occasioned by the arrest of the two Frenchmen.

Chapuis and Feuilli were sent to Mexico City and thrown in jail. The bureaucratic machine at the capital was slow and many months passed before the two unlucky traders were released, only to be sent to Spain for further examination of their case. The posts along the Texas border as well as those on the New Mexico frontier received strict orders to arrest any French trader who might try to break through the Royal Monopoly, and not to release them under any pretext, but to send them into the interior. One of the first victims of this decision to halt the French trade on the border was Joseph Blancpain, a French trader operating in 1754 among the Orcoquiza Indians with two other Frenchmen, George Elias and Antoine de la Fars, and two negro servants.³⁴

The entire party was taken in custody by the Spaniards and their goods were confiscated and divided among the captors. The unlucky Blancpain, who must have been a merchant of some importance, was taken to Mexico City and imprisoned there. There he died in prison in 1755. His companions were deported to Spain.

A royal order was issued, threatening any French trader caught on Spanish territory with deportation to South America. The French governor, Kerlérec, protested against the arrest of Blancpain who, he claimed, was captured on French territory. In spite of the severe ordinance and the death of Blancpain in prison, the French continued to trade within the Spanish claim.

34. Cf. Bolton, "Spanish Activities on the Lower Trinity River," *The Southwestern Historical Quarterly*, XVI, 4 (April, 1913), pp. 339 ff.

In the summer of 1755 four mounted Frenchmen had been seen at El Orcoquisac. At the same time a certain Massé and the priest Disdier asked permission from the Spanish governor of Texas, Barrios, to settle at El Orcoquisac. This was refused, however, by the viceroy, who feared the French might occupy this eastern borderland. In 1759, again a group of French traders had to be expelled and others were reported trading on the Brazos River.

There can be no doubt that the policy of the Spanish officials had a discouraging effect on this illicit border trade. Yet one can well believe that the routes from Louisiana to Santa Fé were well known during the 1740's and the 1750's, and that contraband passed the frontier in considerable quantity. The cases where French traders were arrested and their goods confiscated show the dangers attached to this trade, but it must be admitted that without doubt many pack trains passed the border without being reported to Mexico City.

When France ceded Louisiana to Spain this contraband trade ceased automatically. The port of entry was now at the seacoast and Louisiana became as poor in merchandise as New Spain had been before. The road between Louisiana and New Mexico soon was forgotten and the two provinces were almost as far apart as ever before. Thirty years after the cession of Louisiana to Spain the overland trail was so little used that the viceroy of Mexico found it necessary to order a search for a road connecting New Mexico with the Missouri. The governor of New Mexico, in obedience to the order from the viceroy, called on a Frenchman, Pierre Vial, who had established himself in that province and who apparently was more enterprising than the Spanish settlers. Very probably Pierre Vial was one of the last representatives of the old French "coureurs de bois," and had continued the tradition of his countrymen of the middle of the century. The Spanish authorities commissioned him to re-establish the old Trail, along which the pack trains laden with French merchandise had crossed the wilderness half

a century before. Louis Houck has reproduced the reports on this expedition,³⁵ which are mentioned in this study only to illustrate how little the overland route was known after France abandoned Louisiana.

It is not possible to read of Vial's journey without feeling a note of sadness. The wilderness had been left to itself for more than a quarter of a century. Instead of an expedition like the one led by de Bourgmond in 1724, marching through Indian villages with "beating drum and flying colors," one sees now a few individual travelers, received by savages without any respect or friendship and barely escaping death. There are no great celebrations to receive the white men with honors and banquets. France had abandoned America and the Indians. Its name was slowly forgotten. The Santa Fé Trail was still used occasionally by a few Indian scouts, Frenchmen in the service of Spain, but the Trans-Mississippi West was no longer safe for the white trader as it had been in the 1740's and the 1750's under French influence. Mr. Lansing B. Bloom of the University of New Mexico has given an excellent account of the activities of some of these late French Indian scouts in New Mexico in his article on one of them, Jacques d'Eglise.³⁶ The dream of a French empire reaching from the St. Lawrence to the mouth of the Mississippi and from the Alleghenies to the Western Sea however had faded into a forgotten past. The Indians of the Plains were left to themselves and their eternal wars, unchecked in their destruction of each other by French authority but more ferocious since the French taught them the use of firearms, until the few remnants of roaming bands were destroyed or tamed by the Americans in the nineteenth century. The Santa Fé Trail was later re-established by the American trader, who conquered the Trans-Mississippi West for the white man a second time. Railroads

35. Louis Houck, *The Spanish Regime in Missouri* (Chicago: Donelley & Sons Co., 1909), I, 350 ff.

36. L. B. Bloom, "The Death of Jacques d'Eglise," *THE NEW MEXICO HISTORICAL REVIEW*, II, (Oct., 1927) 369-379.

and highways now bind New Mexico and the Mississippi Valley together into one economic and cultural unit of which the French trader of the eighteenth century was the pioneer and the originator.

University of Chicago.

THE GOVERNMENT AND THE NAVAHO 1878-1883

By FRANK D. REEVE

UNDER THE terms of the treaty of 1868 the Navaho were located on a reservation in northeastern Arizona. During the decade of the 1870's they gradually settled down to the raising of sheep and to the cultivation of their scanty acreage of farm land. The daily personal routine was interspersed with an occasional theft, killing, or drunken debauch, and with trying to play an intelligent part in the intrigues that raged around the person and office of the agent at Fort Defiance. In keeping with the peace policy of President Grant, the agent was appointed on the recommendation of the Presbyterian board for foreign missions. Alexander Irvine had resigned as agent in July, 1877. His successor, John E. Pyle, assumed charge of the agency on April 1, 1878.¹

Trials and tribulations for the new agent were early predicted by one close to the scene, because "the Keams are trying to work in, backed by the military of Ft. Wingate—and if they do not get the place will probably make it uncomfortable for the new agent—unless he is a man of firmness."² Whether or not Thomas V. Keam was a trouble maker at the agency, he had long aspired to the position and had many influential friends supporting him. But he had been *persona non grata* to Dr. Lowrie of the Presbyterian Church for

1. Dr. John C. Lowrie to Carl Schurz, 7/21/77, Department of the Interior, Office of Indian Affairs (hereafter cited simply as OIA), Appointment Division 65 (hereafter cited simply as AD, and usually with appropriate file and letter number).

Mr. Pyle was a resident of Helena, Montana, and one-time special Indian agent at Cimarron, New Mexico. OIA, Letters Received, New Mexico file 1879, letter M745 (similar citations hereafter will be abbreviated to OIA, followed by letter number and year, as M745/79).

2. Dr. Walter Whitney to Brother, 3/19/78, OIA W478/78

Dr. Whitney was agency physician at Ojo Caliente reservation. At the request of Irvine he had been transferred temporarily to Ft. Defiance to take care of a smallpox outbreak, arriving there March 14, 1878. His brother was J. N. Whitney of Washington, D. C. The doctor had been retained by Pyle. OIA, I552/78, I946/78, W239/78.

years. In 1872 he had been appointed special agent to locate a temporary sub-agency in the San Juan valley and to start a boarding school. The following spring Dr. Lowrie sought his removal:

This request is made from no unkind feeling towards Mr. Keams personally, but from the conviction that the interests of the Navajo Indians will be much benefited by the appointment of a sub-Agent who is more in sympathy with efforts to promote the educational and moral interests of the Indians, and whose example will encourage all such efforts.³

When Agent Arny arrived on the scene in September, 1873, he discharged Keam on the grounds that he was living with a Navaho squaw and thereby exercised an undue influence over Indian matters. This accusation, very damning in the Victorian age, was formally registered in the office of Indian affairs in the form of an affidavit by Arny when he lost his position two years later.⁴

Mr. Keam apparently did not know about this affidavit when it was drawn up and applied for the agency when Arny left, and again in May, 1877, when another change was in prospect. "Should you favor me with the nomination for the position," he wrote to Dr. Lowrie, "I pledge myself to carry out to the best of my ability the views and desires of your Church with this tribe."⁵ He was favorably endorsed by Dr. John Menaual, who had known him for five years, and by General Edward Hatch: "he is strictly temperate, is a high minded business man, thoroughly acquainted with the Indian Character . . . I found him familiar with the language. Saw that the Indians placed implicit faith in his word."⁶

3. Lowrie to Delano, 4/22/73, OIA, AD 65.

4. W. F. M. Arny, *Affidavit*, First Judicial District Court, 9/13/75, OIA, AD 65. See also Frank D. Reeve, "The Federal Indian Policy in New Mexico 1858-1880," *NEW MEXICO HISTORICAL REVIEW*, XIII, 40 (January, 1938), and Lowrie to Hayt, 2/22/79, OIA, L182/79.

5. Keam to Lowrie, 5/4/77, OIA, AD 65.

6. Hatch to Keam, 8/17/77, OIA, AD 65.

Dr. Menaual was preacher, teacher and physician at Laguna Pueblo; he was

Irvine also supported him, denying the truth of the charges in Army's affidavit. In addition, a petition to Secretary Schurz in favor of Keam, signed by ninety-eight residents near the Navaho country, was forwarded to Washington at the end of September.⁷

The strong support for the appointment of Keam at this time was partly due to his indignation when the Army charges came to his ears and to his desire to refute them. He denied having co-habited with a Navaho squaw, and also denied another charge of having sold liquor to Indians:

I knew of none [of the charges] and made diligent enquiry among my influential official friends and acquaintances, to investigate the case and advise me without delay, that I might be enabled to remove such if found, for I confess to having possession of that pride, which should be a part of every American citizen, to be morally fitted for any station he would aspire to—, leaving his friends to be the judges of his talent and peculiar qualifications.⁸

But Keam's strong plea and the staunch support of friends did not win him the coveted position, and Pyle experienced the predicted trouble. Meanwhile, he had to deal with the obvious problems that would have faced any agent; namely, the liquor evil, the removal of the agency to the San Juan valley, extension of the reservation boundary, education,⁹ and an assortment of more petty problems.

7. See correspondence in OIA, AD 65.

8. Keam to Secretary of Interior, 12/12/77, OIA, AD 65.

I propose to institute proceedings to "remove this stigma from the archives of the Department, and if possible bring to justice the perpetrator of so vile a slander." Keam, *Affidavit*, 9/17/77, *Ibid.*

The moral issue may not have been the only factor in the case: "Oppose appointment Keams as Navajo indian agent write by mail." T. B. Catron to S. B. Elkins (telegram), 9/26/77, *Ibid.* The subsequent letter was not found in the National Archive.

9. The writer plans to deal with the problem of Navaho education in a later article.

"educated by Mrs. Sheafe, once a missionary in Africa and once an employee at this Navajoe Agency. . . ." A. L. Earle to E. M. Kingsley (member board of Indian commissioners), 12/30/78, OIA, K76/79.

Drunkenness among the Navaho who lived along and outside the border of the reservation was hard to prevent. Not that they all used liquor, but those who wanted it could find a bootlegger in any one of several places between Albuquerque and Gallup and a drunken Indian was apt to get into mischief either wilfully or by the influence of a white man. The commander at Fort Wingate took official notice of the situation in 1878 by issuing a circular threatening prosecution under the federal law of March 27, 1877, which provided two years imprisonment and a \$300 fine for selling liquor to an Indian.¹⁰ But mere threats were of no avail; Wm. O. Cory wrote:

I believe it proper to state that several reliable persons reported to me that a regular barter and sale of whiskey was carried on with the Indians in all of the small Mexican towns and settlements of this section of country and drunken Navajos were a daily occurrence in San Mateo, Cubero and other places.¹¹

Concurrent with this problem, which neither Pyle nor his several successors solved, the question of removing the agency to the San Juan valley was debated. Former Agent Irvine had recommended that the change be made. The approaching end of the ten year annuity terms of the treaty of 1868 led him to stress the necessity of making the Navaho self-sufficient, and he believed that the greater area of farm land in the northern valley would help materially in reaching that goal.¹² Pyle echoed the recommendation, but pointed out additional reasons for the change; the agency was located within 100 yards of the southern boundary of the reservation, "a circumstance fraught with evils which

10. Circular no. 1, 5/15/78, OIA, W998/78.

Under a Territorial act of October 10, 1853, sellers of liquor to Indians, other than the Pueblo, were liable to a fine of \$5 to \$200. *New Mexico, General Laws 1846-1880*, p. 355.

11. Cory to Post Adjutant (Fort Wingate), 9/1/79, Department of War, Adjutant General's Office, Old Records Division, Letters Received, New Mexico file 1879, letter 2295 (similar citations hereafter will be abbreviated to AGO, 2295/79).

12. *Report*, 9/1/77, 45 cong., 2 sess., hse. ex. doc. 1, p. 554-55 (1800).

the most casual observer could not fail to discover;" educational farming at Fort Defiance was impossible because of insufficient land and distance from the bulk of the Navaho people; and the cost of removal would be kept to a minimum because the buildings used at the agency were practically valueless and their abandonment would entail no loss.¹³

While this matter was pending the wide gap between the culture of the Navaho and the white man (a gap that complicates the relations between the two races) was illustrated by an incident that occurred at Navaho City in the Tunicha mountains. The so-called Navaho doctor or medicine-man professed the ability to kill persons in absentia by shooting stones into a figure representing their bodies. The stones were pills of some sort of compound that the doctors made. The Navaho resented the practice and on this occasion they had tied up and were threatening to kill three of the practitioners. The commander at Fort Wingate, getting wind of the affair, sent a small force to the scene to prevent violence. A stiff lecture was delivered to the doctors for their mal-practice and they promised to reform; the tribesmen felt reassured and the soldiers returned to the post. This action was taken by Lieutenant-Colonel Swaine in the absence of the agent and proved to be very displeasing to him. He was jealous of his prerogative of controlling the Indians on the reservation, and he believed that native practices should not be interfered with.¹⁴

A similar incident next occurred at Pueblo Colorado, but with a less fortunate outcome. The Navaho under Ganado Mucho killed two of their doctors. So much excitement developed among the Indians that the white inhabitants in that locality became fearful for their lives and sent to Fort Wingate for troops. This time Pyle accompanied the expedition. Their aim, technically speaking, was not to interfere in the internal troubles among the Navaho, but only to pro-

13. Pyle to Commissioner, 4/13/78, OIA, P299/78.

14. P. T. Swaine, *Report*, 6/8/78, OIA, W1268/78. Pyle to Commissioner, 6/21/78, OIA, P514/78. J. L. Hubbell to C. O., 6/10/78, AGO, 1441/78. See also OIA, W1303/78.

tect the whites against injury; however, the Indians were reprimanded for their hasty action. So this time the military had played their part as guardians of life and property without infringing on the prerogative of the agent,¹⁵ a prerogative that Pyle was not long to retain.

When General Sherman visited Fort Defiance in September, 1878, he reported a strong demand among the Navaho chiefs for a new agent, either Captain Bennett of Fort Wingate or Thomas V. Keam. Pyle was credited with being intelligent, honest, and zealous in his work, but in poor health, and unable properly to carry on his duties. The general favored Keam for the position on the grounds that he was a Civil War veteran, the Indians wanted him, and the military at Fort Wingate recommended him. Pyle suspected that the strong Indian demand for his removal was manufactured by outsiders, namely, Messrs Bennett and Keam who, while Sherman rested preliminary to the council, interviewed the chiefs and bribed them with the promise of a liberal reward in goods for demanding Pyle's removal.¹⁶ When news of Sherman's recommendation spread abroad the forces of good swung into action. George G. Smith, Presbyterian minister at Santa Fé, wrote a vigorous remonstrance to the commissioner against the appointment of Keam:

Mr. Pyle is a good conscientious man. I am unable to say whether he is or is not an efficient agent. He is not a man of vigorous bodily health, or of extraordinary force and energy. To deal with the miserable, debauched "*Squawmen*" who hang about the Navajo Agency, and with outside mischief makers, such as Thomas V. Keames, it is of great importance that the agent of the Navajos should be not only a man of incorruptible honesty, (such as I believe Mr. Pyle to be) but a man of extraordinary courage and executive ability.¹⁷

15. Lieutenant G. K. McGunnigle to Post Adjutant, 6/17/78, AGO, 1398/78. Pyle to Commissioner, 8/17/78, OIA, P760/78.

16. Sherman to Secretary of War, *Report*, 9/9/78, OIA, W2023/78. Pyle to Commissioner, 11/8/78, OIA, P1137/78.

17. 10/16/78, OIA, S1601/78.

The opinion of Rev. Smith might be accepted as a bit exaggerated, and still leave the reader inclined to accept the major thesis that the so-called squaw-men exercised undue influence over Navaho affairs for their own profit because similar charges had been made during the incumbency of previous agents, and had also been made in relation to other agencies throughout the country. But other factors no doubt entered into Mr. Pyle's downfall; namely, his own policies. His ill health made it difficult for him to visit around the reservation and evidence his interest in his charges. When they came to the agency he didn't waste time listening to their appeals for extra goods; he was possibly a little brusque and irritable sometimes, and occasionally in no condition to talk with them at all. Chief Manuelito was also reprimanded for getting drunk and for permitting his people to trade sheep for whiskey.¹⁸ These little incidents would provide fertile ground for men well acquainted with the Indians to stir up trouble for a stranger coming in as agent.

On December 1, 1878, Pyle took a sixty day leave of absence. Inspector A. L. Earle was sent out to examine into conditions at the agency and found talk of dissatisfaction current. "The most of this talk however, as I have met it, can be traced to outside parties who are not entirely free from selfishness."¹⁹ Mr. Irvine, the strong type of agent, even thought that "it will be *unsafe*" for Pyle to return.²⁰ And Pyle did not return. His leave of absence was made per-

18. Pyle to Commissioner, 11/8/78, OIA, P1137/78.

19. Earle to Kingsley, 12/30/78, OIA, K76/79. Kingsley to (Commissioner?), 1/27/79, OIA, K206/79. See also I2315/78.

20. Smith to Lowrie, 2/15/79, OIA, LI82/79.

Rev. Smith again unleashed a strong indictment of the outsiders: "You remember that Mr. Miller was not altogether subservient to the 'squaw men' who infest the neighborhood of Defiance. He did not act as vigorously as he ought to have acted. If he had exterminated the vipers—I mean if he had banished every Mother's son of them—he would probably have lived."

The squaw-men say that the Utes killed Miller: "That is a lie. The *Navajo's* killed Miller." Wm. Crane of Bacon Springs near Fort Wingate offered to bring in the murderers in four hours if the military desire, but they decline. *Ibid.*

James H. Miller was killed in 1872 about 100 miles north of Fort Defiance.

manent on March 3, 1879, due to the unsatisfactory state of affairs and the recommendation of Inspector Earle. His integrity was not questioned.²¹

The pending removal of Pyle as agent led Keam to apply for the position again, but the real pressure for his appointment had reached its climax in October without success and he failed to win the coveted position which went to Galen Eastman of Grand Haven, Michigan, upon the recommendation of Dr. Lowrie supported by the influence of Senator T. W. Ferry of Michigan, Rev. John R. Sutherland of his home town, and E. C. Watkins, an inspector in the Indian service.²² None of the pending problems had been solved during Pyle's incumbency, so the new agent was faced with the same general conditions; namely, liquor, boundary extension, and the possible relocation of the agency. Eastman was made of sterner stuff than Pyle, but he was to experience the same vexations and enjoy as little success in overcoming them.

The removal of the agency to the San Juan country was brought promptly to Eastman's attention by the commissioner with the request that a suitable site be selected. He held a council with thirty chiefs and about 350 other Navaho in May and reported their unanimous opposition to the removal.²³ Their position on the matter can be rationalized without suspecting outside influences at work. The Navaho were roughly divided into groups that tended to stay within regional portions of the reservation. It was inconvenient for a Navaho living near the San Juan river to come to Fort Defiance and it would likewise be inconvenient for a southern Navaho to visit an agency located near the northern boundary. Incidentally, their reluctance or inability to travel the long distance would mitigate against their partici-

21. OIA, P412/79. OIA, Letter Book (hereafter abbreviated to LB) 150, p. 228.

22. Keam to Schurz, 1/21/79, OIA, K379-1/4/79. Lowrie to Schurz, 3/4/79, OIA, AD 209, 247/79.

23. Brook to Eastman, 5/14/79, OIA, LB 150, p. 267. Eastman to commissioner, 5/23/79, OIA, E221/79.

pation in the government bounty. Agent Pyle had reported that

hundreds cannot come [to the agency] on account of age and infirmity and the great distances to be traveled as compared with the value of the articles distributed to each and the necessity that many must remain to guard the herds and growing crops.²⁴

The matter was finally settled by the report of Inspector J. H. Hammond in the fall of the year. Whereas Pyle had stressed the proximity of white people as a reason for removing the agency, Hammond thought the encroachment of the whites necessitated keeping the agency in their neighborhood for safeguarding the Indians, and also believed that there was plenty of water for irrigating the fifty to seventy-five acres available at Fort Defiance for farming. On the other hand, there would be the cost of constructing a road to the San Juan country, an expense that could be avoided by maintaining the customary route of commerce and supplies from Albuquerque to the reservation if the agency was not removed. This decision was arrived at "after considerable exploration" (although he does not mention having traveled as far north as the San Juan). He also recommended an expenditure of \$1,000 to construct a dam near the agency to impound the necessary water for irrigation, a dam sufficiently substantial to withstand the pressure of high water; five "cheap" dams had already been washed out.²⁵

24. 7/10/78, OIA, P633/78.

"Of the estimated number of 12,000 or more, only less than 500 came for rations at the issue on Saturday. This number is sometimes increased, perhaps two or three hundred but rations are issued only for the cold weather months. It is therefore increasingly important that more definite measures shall be promptly adopted which will mould their progress in the right direction, in the immediate future." A. L. Earle to Kingsley, 12/30/78, OIA, K76/79.

H. O. Ladd of Santa Fé divided the Navaho into five groups: Manuelito, chief of the southern division; Gaua [Ganado] Mucho, western; Mariano, eastern; Francisco Capitan, northern; Teiniski, Cañon de Chelly. *The Daily New Mexican*, 9/13/87.

The three first named chiefs are often mentioned in the government documents; Francisco Capitan, seldom; and not once has the writer so far seen the name of Teiniski.

25. OIA, H1418/79, H1436/79, H1438/79, I2300/79, I2249/79, and LB 167, p. 615.

But the more important problem was the question of the boundary extension. Neither the Indians nor the whites were content with the status quo. To the whites the presence of the Navaho outside the reservation limits was undesirable and a source of trouble; they should be compelled to live within those limits where the agent could control them, otherwise the military or the civil authorities would be troubled with the problem. This was the case when William Wallace appealed to the military for assistance. Some Navaho in March had threatened his employee with violence at Mineral Springs, about twelve miles west of Fort Wingate, burned the hay stack, and stolen an iron pump. Captain Bennett investigated the matter and reported that the Indians were incensed because they suspected Wallace of not treating them honestly in trading for wool.²⁵ Of course Wallace would not want to lose their trade, although he complained about their behavior, but there were others who also complained. To the east, Amado Chaves of San Mateo, in seeking the recovery of lost sheep, wrote that "The Navajoes are in the habit of stealing sheep, and after taking about one half of the number stolen, they rep't the other half to the Fort. But after all," he realistically added, "it is better to get half a loaf than no loaf at all." The mischief makers in this case were reported by Manuelito as a band of renegades living near San Ysidro who refused to obey his commands, and who ought to be forced onto the reservation.²⁶

Aside from seeking out the trader, wherever he located, in order to secure the best price for their goods, the Navaho lived in the area of their traditional haunts beyond the reservation line because of economic necessity. They needed grass and water for their flocks and went where those could be found. Complainants against their trespasses did not favor the extension of the boundary, but their grievances could be used as an argument by those who did favor such a

25. Wallace to Swaine, 3/30/78, AGO, 798/78. Swaine to AAG (Assistant Adjutant General), 4/5/78, *Ibid.*

26. Chaves to Commanding Officer (Fort Wingate), 3/23/78, AGO, 798/78. Swaine to AAG, *op. cit.*

policy. Sherman, in 1878, had opposed additional land except as granted in settling the disputed area at the mouth of Cañon de Chelly. His argument was based on military policy, but was vitiated by the fact that the Navaho was permitted to roam outside the reservation limits under the terms of the treaty of 1868. The question was more debatable on economic grounds, but was beclouded by a lack of definite information. In his annual report in 1878, Pyle wrote:

From the best information I have been able to gather on the subject, I incline to the belief that the natural resources of the reservation are totally inadequate to the support of the tribe, in which opinion I am sustained by all intelligent persons who are conversant with its features.

But at the same time he stated that the Navaho were ninety to ninety-five percent self-supporting and recommended the discontinuance of subsistence supplies except for the poor and infirm.²⁷

Shortly after Pyle took his leave of absence Colonel Swaine met in council with several Navaho chiefs and they expressed a keen desire for an extension on the eastern side of the reservation as a like favor for the extension granted to the Navaho on the west in 1878. The Colonel favored the extension on the ground that the land desired was not suitable for settlement. When Eastman assumed charge Manuelito informed him in council that they needed more land; the Mexicans were crowding them on the east, the Mormons on the west, and the Americans pressed them on the north and south. The agent advised them to plant more land, dig wells, decrease their bands of horses, and get accustomed to living on the reservation which they would soon be compelled to do. At the same time, however, he did recommend that their request be granted. The proposal met an unfavorable reception with the commissioner at first, but a subsequent

27. 45 Cong., 3 sess., hse, ex. doc. 1, p. 604 (ser. 1850). Pyle to Commissioner, 9/18/78, OIA, P892/78.

report by Inspector Hammond led him to change his mind and to recommend to Secretary Schurz that the boundary be extended because, being a pastoral people, the Navaho needed more land, and that Eastman claimed he could then keep them on their reservation and could better control the whiskey traffic. The project was finally carried through by an Executive Order of January 6, 1880; the boundary was extended fifteen miles to the east and six miles to the south.²⁸

The enlargement of the reservation did not go unchallenged. Several traders now found their locations to be on Indian land; among them were George M. (Barnie) Williams, I. L. Bennet, and Charles Davidson at Pueblo Colorado, about thirty-five miles west of Fort Defiance, and Anson C. Damon and Thomas V. Keam near the agency.²⁹ Damon had been living on his ranch for two years, and had a Navaho wife and four boys. Eastman recommended that he be allowed to remain on the promise not to sell whiskey and because the Navaho respected him. In view of past and future complaints about squaw-men this was a surprising concession on the part of the agent. The commissioner assented to the proposal, but with the stipulation that Damon marry his wife in accordance with the white man's law. This the rancher refused to do, and presumably he was forced off the reservation.³⁰ Mr. Keam had been located for four years and tried to argue the legality of his removal, later apparently acquiescing and requesting compensation for his improvements. In his case Eastman was opposed to any leniency, but expressed it in rather cloudy phraseology: "as I apprehend such men (who being favorites with the military may be somewhat sheltered by them) *do not remove*: and their example may influence others: who are *well intentioned* to remain also."³¹

28. Swaine to AAG, 12/20/78, OIA, W317/79. Eastman to Commissioner, 5/23/79, OIA, E221/79. Eastman Council with Navajo, 5/21/79, OIA, E252/79. Hayt to Secretary of Interior, OIA, RB (Report Book) 35, pp. 171, 610.

29. OIA, E80/80.

30. *Ibid.* Also OIA, E254/80 and LB 159, p. 4. John McNeil to Schurz, 12/23/80, OIA, M2510/80.

31. Eastman to Commissioner, 2/12/80, and Keam to Eastman, 2/12/80, OIA, E117/80. Keam to Commissioner, 2/16/80, OIA, K246/80.

Opposition also appeared elsewhere. When the extension was recommended by the commissioner, he based his opinion on the information that "there are not to exceed seven squatters, some of whom have Indian wives, and two squatter traders, within the extended limits. . . ." ³² But the territorial legislature spoke of 100 families being affected in a memorial, opposing the extension, addressed to the president of the United States and to the secretary of interior. If true, these 100 families were probably concerned over the loss of grazing ground for their wandering cattle or sheep. At any rate, the legislature showed little sympathy for the Indian who had, "in fact, twice the amount of territory that their present necessities require." ³³ A lack of sympathy, it is reasonable to suppose, rather widely held in the territory:

now my dear Governor we think out here that about fifteen hundred to two thousand acres of land to every buck and squaw with three children with an unlimited range outside of the reservation is quite enough, and by "*rustling*" around they can keep from being crowded and at the same time prevent their herds from perishing. ³⁴

The boundary extension provoked the airing of opinions on the Navaho problems, but solved none of them. The Indians roamed at will as formerly, drank, and occasionally met with trouble, even with the "iron horse." In March, 1882, a Navaho was run over and killed by an Atlantic and Pacific train. Friends of the unfortunate one demanded \$500 indemnity, so Superintendent Smith sent a prompt request to Eastman to settle the issue for him. The Indians

32. E. J. Brooks to Thomas L. Young (congressman), 6/5/80, OIA, LB 158, p. 141.

33. New Mexico, "Memorial to President and Secretary of Interior," *Acts of the Legislative Assembly*, 24th session, 1880.

34. "This is part of a letter received from an influential friend in New Mexico. I thought it worthy of your notice & therefore respectfully submit it." Thos. L. Young (House of Representatives) to Schurz, 2/16/80, OIA, Y51/80.

L. N. Hopkins Jr. of Santa Fé also protested the loss of his ranch in a letter to Congressman John G. Campbell who in turn tried to delay the boundary extension, OIA, C232/80.

had no legal claim because the deceased was trespassing on the railroad right-of-way, but the company gave \$40 worth of farm implements and Eastman gave a double set of harness "in order to Express a reasonable sympathy on the part of the Great Father, for their loss and also that they may farm it more intelligently."³⁵

In May a more serious incident occurred near Gallup when an Indian was killed in a fight with coal miners. The Navaho was attempting to recover a pony that he alleged had been stolen and sold to a miner. His kinsmen assembled in force to secure redress of grievance, and the commander at Fort Wingate sent troops to protect life and property. The matter was finally settled peacefully in conference by an agreement to pay the Indians 250 sheep in compensation for the life of the deceased.³⁶

About the same time Henry Connelly of Los Lunas was complaining to Governor Sheldon that the Navaho had stolen stock from his ranch on the Cañada Alamosa, "cowskided" one of his herders and told him to leave because they owned the country. This was not the only complaint of aggression according to the governor, and he took a very serious view of the situation: "a war is to take place sooner or later I have little doubt."³⁷

Military headquarters at Santa Fe held the same view as the governor and took appropriate action. Colonel Mackenzie instructed the commander at Fort Wingate to compel the Navaho roaming to the southward of the reservation to return to their own land: "If serious trouble comes, —I mean war with the Navajoes, —I think that we shall be able to meet it, but I am very desirous not have such a thing if it can be, with proper regard to our duties, avoided."³⁸ Since

35. F. W. Smith to Eastman, 3/15/82, and Eastman to Commissioner, 3/16/82, OIA, 5843/82 (after 1880 the Office of Indian Affairs used a straight numerical filing system for incoming correspondence from all field officers in place of the earlier numerical and alphabetical filing system for the several superintendencies).

36. Captain William Auman to Post Adjutant, 5/3/82 and 5/4/82, *Ibid.*

37. L. A. Sheldon to Henry M. Teller, 5/8/82, OIA, 9078/82. Connelly to Governor, 5/5/82, AGO, 1992/82.

38. R. S. Mackenzie to Colonel Bradley, 5/8/82, AGO, Fort Wingate File 1882.

the prospects of any more war with the Navaho had been discounted for several years by civil and military officials, the views of Sheldon and Mackenzie might seem unnecessarily pessimistic, but there were other factors in the situation, to be discussed later, that could cause them to worry. Meanwhile, the scouting party sent to the Cañada Alamosa found no Navaho to send home: "No signs of Indians were found, except some old Navajo Hogans near Connelly's Ranch where the Indians had once cultivated corn." And the real troublemakers there had probably been the Southern Apache.³⁹

Another incident occurred on the Rio Puerco of the West where some Navaho had been living peacefully for years, probably never having been sent to the Bosque Redondo, and supporting themselves without government assistance. Now white settlers were encroaching on their farm land. The commissioner ruled that under the act of March 3, 1875, any Indian, born in the United States, twenty-one years of age, and the head of a family, was eligible for a homestead, but having no jurisdiction over the public domain, he could afford them no protection in their holdings.⁴⁰ At that time the war department had ordered, in view of disturbances among the Southern Apache, that all Indians off their reservation were to be considered as hostiles by the military. Consequently, Eastman was instructed, despite the previous ruling about eligibility for homesteads, to remove those Navaho to the reservation. In September, 1881, he brought in about eighty-five. Subsequently, General Sherman stated that the rule about hostiles was not applicable to peaceful Navaho farmers, and thought that

39. Lieutenant James Parker to M. F. Jamar, 5/28/82, AGO, 2362/82. Jamar to Post Adjutant, 5/30/82, *Ibid.*

See *The Daily New Mexican*, 2/2/81, for comments by Thomas V. Keam. He reported a band of Navaho living at the Cañada who maintained communication with the Apache.

40. Bennett to Commissioner, 1/7/80, OIA, 1525/81. Thomas M. Nichol to Bennett, 3/15/81, OIA, LB 158, p. 635.

citizenship ultimately was "Probably the best possible solution of this most difficult problem."⁴¹

The Navaho were also a bit troublesome in relation to their Pueblo neighbors. They were not meek by nature and were not above expressing their sense of superiority toward others. They picked on the Moquis in the west; in fact, they were "becoming quite tyrannical in their manners," and indulged in considerable petty thieving.⁴² To the south they had trouble with Zuñi over pasturing horses in the Nutria Valley claimed by the Pueblo as their property. After repeated offenses of this kind, so the Zuñi alleged, their number-one war chief, Frank H. Cushing, took decisive action by killing several of the unwelcome animals. Eastman maintained that the horses had been grazing on Navaho land just over the crest of the valley, but the claim for \$100 for two dead horses met with little sympathy from the Pueblo agent: "Indians who finally suffer loss in consequence of outrageous and exasperating disregard of the necessary rights of others which they have persistently practiced for years, should not receive any consideration."⁴³

However, the sum total of troubles arising from neighborly quarrels and petty thieving might not be considered as excessive, considering the tradition of friction among Indian tribes and lawlessness on the American frontier, if that perennial source of mischief, John Barleycorn, had not been present. The bulk of the Navaho were peaceful enough and concerned primarily with the common problem of keeping body and soul together. When employed by white men

41. Sherman to R. T. Lincoln, 10/7/81, OIA, 18241/81. Price to Eastman, 9/9/81, OIA, LB 159, p. 489. Eastman to Commissioner, 9/26/81, OIA, 17389/81 and 9/19/81, 17158/81.

The report of Navaho wandering as far southward as Fort Apache was received in Washington. Eastman denied having issued any permits to them for hunting in that area and wrote: "I have again notified my Chiefs to keep away from Fort Apache and vicinity and also to discontinue dealings with the Apaches." Eastman to Bradley, 1/12/82, AGO, 291/82.

42. John H. Sullivan (farmer at Moqui Pueblo agency) to Commissioner, 12/14/81, OIA, 22585/81. Bennett to Commissioner, 1/1/81, OIA, 672/81.

43. B. M. Thomas to Price, 11/22/82, OIA, 19570/82. Eastman to Cushing, 7/22/82 and 10/21/82; Cushing to Eastman, 10/11/82, OIA, 19570/82.

they gave satisfaction: "They work for us, faithfully, at any kind of labor they can perform, and we find them a very orderly and agreeable people. . . ."44 And Captain Bennett was of the opinion that "no community of like population will exhibit so small a record of criminal acts of a flagrant character as the Navajos."45 But liquor was sold openly to the Indians and trouble often followed, either among themselves or between them and the white people along the route of the railroad, and a drunken Navaho was a common sight as W. S. Burke reported: "I don't think I have ever made a trip without seeing drunken Indians; hence, the evil of which I complain is not a matter of rumor . . . but of positive knowledge." And there were many others who agreed with him.46

The situation was clear to everybody, Indian and white, and all responsible people agreed that the selling of liquor to the redman should be stopped, but just how this could be done was another question. Ganado Mucho inquired why the Great Father did not end the evil: "If a mountain is in the way he bores through it [referring to the railroad]—and all this shows his might—then why can't he kick these whiskey fellows out, dam their springs and stop the trade?" Manuelito, quite a tippler in his own right, promised to take care of his people if the government would force them onto the reservation.47 This the government could not do, but some steps were taken to end the whiskey traffic. Colonel Buell wrote:

44. W. S. Burke to Kirkwood, 2/23/82, OIA, 5015/82.

Burke was secretary of the Pacific Coal Company operating a mine about five miles west of Gallup, a "hard town." He had been editor of the Council Bluffs *Nonpareil* at the outbreak of the Civil War, and had resigned to accept a commission as lieutenant in the army. *Ibid.*

45. *Annual Report*, 10/14/80, 46 cong., 3 sess., hse. ex. doc. 1, p. 254 (1959).

46. Burke to Kirkwood, *op. cit.*

"What I know of that can be told in a few words. Whisky is sold to the Navajos and all the trouble that arises in the tribe is due to this cause." Thomas V. Keam in *The Daily New Mexican*, 2/6/81. See also OIA, I554/80, B812/80, and 7352/82.

47. John McNeill, *Council with Navajo*, 12/14-16/1880, OIA, M2510/80. Eastman to Commissioner, 4/11/82, OIA, 7396/82.

I have found so much whiskey selling going on, that I have employed several men for the purpose of detecting the villains who are doing so much towards producing the trouble now existing. If I had come by Manuelito's Camp two days earlier I would have found not less than one hundred drunken Indians fighting among themselves.⁴⁸

Just what these detectives accomplished is not known in detail, but the general results were negative. The military, of course, could not prosecute violators of the laws, although they were free to gather evidence as a basis for prosecution by the civil authorities. However, a scouting trip in December revealed that

All the parties about the railroad camps, excepting around the Mormon camps—who, as a rule, were very communicative and seemed not only willing but anxious to tell all they knew about it—were very reticent and it was almost impossible to get any information whatever out of them. . . .⁴⁹

Meanwhile, Colonel Bradley ordered the post trader at Fort Wingate to sell liquor only by the glass in order to prevent the soldiers from passing purchases on to Indians. But these efforts were fruitless, and the colonel confessed the inability of the military to suppress the traffic off the reservation.⁵⁰

In October, Captain Bennett journeyed to Santa Fé to confer with General Hatch and the civil authority about the problem. The upshot of the conference was the recommendation by Hatch that the territory adjacent to the reservation be declared Indian country in order to give the military jurisdiction, and also that a strong corps of detectives and United States marshals be employed. The proposals were rejected; to declare the area to be Indian country was impracticable, and the employment of a detective by the office

48. Buell to AAAG, 6/8/80, AGO, 1566/80.

49. George R. Burnett, *Report*, 12/7/80, OIA, 562/81.

50. Bradley to AAG, 12/11/80, OIA, 562/81. Eastman to Commissioner, 9/8/80, OIA, E460/80.

of Indian affairs had already been ruled impossible for lack of funds.⁵¹ Meanwhile, the department of justice had been urged to take action, but the initial reaction was only a doleful letter from the United States attorney for New Mexico:

The laws of the United States are flagrantly violated in this Territory—terrible offenders go about and defy every body—and escape punishment—I do not tell all the obstacles I meet—enough I have given—My reports from time to time show few convictions or trials—this is mortifying to me I do my best.⁵²

Perhaps the reason for his difficulty was given by Inspector McNeil: "The purveyor of liquor can pay the law officer (Deputy Marshal etc) more than his legal fee, and that ends the thing in this country." However, the lament of the attorney did not end matters; he was instructed in December to employ a detective.⁵³

Two other possible cures were experimented with in the spring of 1882. Eastman, heretofore governing the Navaho by "moral suasion," as he expressed it, was shocked at seeing a drunk Indian at the agency for the first time. He therefore proposed, and was authorized to erect, a jail at Fort Defiance. And the citizens of Gallup, indignant at the recent trouble at the coal mines, blaming the cause on liquor, destroyed the whiskey and tent saloon of Thomas Dye, and

51. OIA, B812/80, 562/81, and LB 154, p. 673. Hatch to Price, 6/15/81, OIA, 12618/81.

52. Sidney M. Barnes to Charles Deven, 9/25/80, OIA, I539/80. See also OIA, I352/80, I328/80.

53. McNeil to Schurz, 12/23/80, OIA, M2510/80. Attorney General to Kirkwood, 4/16/81, OIA, 6462/81.

Detective Wm. S. Crawford was killed in Albuquerque in December, 1882, while waiting to testify in a case. Eastman to Commissioner, 2/13/82, OIA, 3526/82.

Eastman gave the impression that the killing was intentional to prevent Crawford from testifying, but the newspaper account makes it out a case of mistaken identity. The affair occurred in Old Albuquerque, 12/17/81.

"William S. Crawford is about thirty years of age, and has passed his entire life on the frontier. He is the special agent of the department of justice, is one of Pat Garrett's deputies, and has served on the staff of Generals Buell and McKenzie. He is a man of powerful physique, is temperate in his habits, and bold and determined in character." *Albuquerque Daily Journal*, 12/20/81.

secured his imprisonment at Fort Wingate.⁵⁴ But the Indians continued to get liquor.

If forced to live and remain within the limits of the reservation the troubles related above might be avoided, but it was questionable whether the Navaho country was productive enough for their support; the alternative would be more land or the continuation of government supplies. In view of the recent addition to the reservation the commissioner would not consider another extension for the time being. Consequently, supplies were continued while looking forward to the time when the recipients would be made self-supporting by exploiting the resources of their land.

In the spring of 1880 the expenditure of \$3,000 was authorized for developing a water supply, and a dam at the agency was started. Stover and Company of Albuquerque contracted to erect three windmills, one at the agency, and one each for Manuelito and Ganado Mucho.⁵⁵ The erection of a steam saw mill, purchased three years before, was now started.⁵⁶ And eleven wagons were issued to certain Navaho as a means to self support. It was hoped that they could engage in freighting goods to the agency and find use for the wagons in their farming operations.⁵⁷ But these were petty measures that might make conditions better for a few Indians in the southern part of the reservation, but they could afford little help for the northern people, nor for the "considerably upwards of one-half of the entire Navajo people . . . living off the Reservation."⁵⁸

54. Eastman to Commissioner, 2/13/82, OIA, 3526/82. Price to Eastman, 2/24/82, OIA, LB 164, p. 128. Wm. Auman to Post Adjutant, 5/6/82, AGO, Fort Wingate Letters Received File 1882. Also OIA, LB 164, pp. 128, 202, 226.

"it is currently reported and generally believed that whiskey in large quantities is sold to the Navajos by the saloon keepers at Gallup—that they do it openly and in defiance of law and that the civil authorities are powerless to prevent it." G. C. Chance to Post Commander, 4/30/82, AGO, 1915/82.

55. Trowbridge to Eastman, 3/22/80, OIA, M2510/80; also E234/80, 7965/81, 8581/81; LB 178, p. 184; and LB 169, p. 579.

56. OIA, T741/80; Report Book 33, p. 148.

57. Commissioner of Indian Affairs, *Annual Report*, 1880, 46 cong., 3 sess., hse. ex. doc. 1, p. 92ff (1959).

58. J. H. Howard (inspector) to H. M. Teller, 7/31/82, OIA, 15060/82.

Agent Eastman "issued annuity goods to 11,400 Indians [of an estimated total 16,000] in October, 1879, being their last issue under their ten years' treaty stipulation. . . ."⁵⁹ And he was of the opinion that his

discretion ought & can best control the future dispensing of necessary goods & tools to & for the best good of this tribe, and the time has come in their case when annuities (except a few staples & needed tools) and the annual issue *can* and *ought* to be *omitted*.⁶⁰

This opinion was to be modified later, but meanwhile the discontinuance of annuities did not mean necessarily the stopping of food supplies. And the question was, how much did they really need?

In estimating the cost of supplies for the fiscal year ending June 30, 1880, Agent Pyle reduced the usual amount about one half to a figure of \$17,000, fully convinced that sum would suffice. If additional funds were provided by congress, the amount for supplies should not be increased, he wrote, because "I *know* that the amount indicated is sufficient and I also *know* that the letting of larger contracts for supplies in most cases results more to the advantage of Contractors than to the Indians." Mr. Eastman, on taking over the agency, promptly took issue with Pyle, criticising his estimate as being too low.⁶¹ The truth of the matter, no doubt, would partly depend upon the extent of Navaho self-support from grazing and farming. They cultivated an estimated ten thousand acres, about two thousand having a reliable supply of water. The rest of the land produced a

59. *Annual Report*, 1881, 47 cong., 1 sess., hse. ex. doc. 1, p. 195 (2018).

60. Eastman to Commissioner, 1/30/80, OIA, E81/80.

"And as they now have most of the 'land' I prefer to take them at their word and not again inaugurate '*annuity issues*' but expend a few staples & tools they *need* on the occasional plan and mostly in payment for special services.

"The \$3000.00 estimated for to assist the permanent water supply I deem imperatively necessary, and the *Key* to success towards gradually bringing this people on to their Res.^v and affording them the means of subsistence." Eastman to Commissioner, 1/26/80, OIA, E60/80.

61. Pyle to Commissioner, 4/5/79, and Eastman to Commissioner, 4/30/79, OIA, E155/79.

crop about one year in four. In good crop years the Navaho were probably self-supporting, including, of course, their sheep as a source of meat. In the year 1879-1880 the government supplied about one-seventh of their subsistence, and that was a time of want due to a two year drouth.⁶²

In the last analysis the Navaho were living close to the margin of economic existence. When hard times visited their country they were dependent upon government support, a fact strongly illustrated again in 1880 and 1881 due to crop failure. Much sickness was reported among them, and many were "in a starving condition" when government supplies failed. This deplorable condition of want was precipitated by the refusal of Louis Huning to fulfill his contract. The government had refused to pay the agreed upon price for flour delivered at Fort Defiance on the ground that it was below quality. The contractor refused to deliver more until full payment was received. Agent Eastman journeyed to Albuquerque in April, 1880, to make open market purchases to relieve the situation.⁶⁴ The following winter was unusually severe, causing considerable loss of stock. Again in the spring of 1881 the government came to the rescue with supplies, furnishing 150,000 pounds of wheat and corn, and an extra emergency supply of 37,500 pounds.⁶⁵ In the midst of dealing with this economic problem, a situation developed that led to the temporary removal of the agent from office.

When Eastman relieved Pyle of responsibility for Navaho management, he soon was of the opinion that bad influences were abroad undermining his authority and aim-

62. Bennett to AAAG, 7/14/81, OIA, 14244/81. Bennett, *Annual Report*, 1880, 46 cong., 3 sess., hse. ex. doc. 1, p. 253 (1959). Hatch to AAG, 4/28/81, OIA, 8406/81.

Bennett reported the following figures for farm production: wheat 500 bu; corn 6,000 bu; beans 100 bu; 75,000 melons; 40,000 pumpkins; peaches and apricots in Cañon de Chelly.

In 1883: 20,000 bu wheat; 200,000 bu corn; 650 bu vegetables.

These figures cannot be more than rough estimates.

See W. W. Hill, "The Agricultural and Hunting Methods of the Navaho," Yale University Publications in Anthropology, No. 18, p. 13, for the significance of rainfall to Navaho economy.

64. OIA, E212/80, E220/80. Townsend to Trowbridge, 6/15/80, OIA, T741/80.

65. E. L. Stevens to Hatch, 5/11/81, AGO, 1837/81.

ing ultimately at his removal. This influence he summed up under the term "the Santa Fe Ring" and accused the military at Fort Wingate with being abettors. At the time he believed that the ring was headed by J. L. Johnston and Company of Santa Fé, and that their representatives in the Navaho country were L. N. Hopkins, a nephew of Johnston and post-trader at Fort Wingate; Rómulo Martínez, trader at Fort Defiance, represented by W. B. Leonard as clerk in charge; G. M. Williams, at Pueblo, Colorado, and Keam at the Moqui agency. Hopkins had secured the post-trader position with the help of Lieutenant Merritt, who "was bought over, to vote for Hopkins, and who was afterward cashiered, for receiving a bribe, and subsequently committed suicide, at Santa Fé."⁶⁶

The spite of the J L Johnston & Co. house of Santa Fe N M. who have for years controlled the trade of this entire section of country, is invariably directed to an Agent, they cannot manipulate, and when the fiat goes forth, go he must, or be out of the way, by such means as suits the Caprices of these people.⁶⁷

No doubt there was some truth in the agent's charge that outside influences sought to manipulate Navaho affairs to their own advantage.⁶⁸ Added to this the fact that the agent was faced with the responsibility of managing an alien people, which at best is a very difficult task, the situation called for a man of unusual ability, of tact and wise understanding. In these qualities Eastman proved to be lacking. He was a Christian idealist inclined to draw a sharp distinction between right and wrong in regard to the behavior of others, but he possessed, unfortunately, a slight weakness for promoting his own personal and perhaps selfish interests. One of his first acts was to indulge in nepotism. He secured the appointment as storekeeper and agency carpenter, and

66. J. R. Sutherland to Eastman, 3/20/82, OIA, 5943/82.

67. Sutherland to Commissioner (confidential), 11/4/80, OIA, 7075/81.

68. E. B. Townsend to Trowbridge, 6/8/80, OIA, T715/80.

later farmer at the Moqui agency, for his own son, a minor without experience, and, according to George Williams, "almost half idiot."⁶⁹ Other changes at the agency soon followed. Dr. Whitney, accused by the Indians of having stolen their goods during the régime of Agent Army, and accused by Eastman of trying "to entangle me into following irregular methods heretofore practiced at this agency," was removed.⁷⁰ The following winter more changes occurred. Clerk Harry Simpson was discharged in February for alleged incompetency and replaced by James R. Sutherland, another friend from the home town. Henry Dodge, agency butcher, and Charles Hubbell, interpreter, resigned. Navajo John was hired as interpreter at higher pay,

knowing that *he too* would soon be reached by the same influence at work trying to *corner me!*—to wit—the "Indian ring," and traders *Clique here,*—as I am satisfactorily informed, —Say: "they have *no use* for an agent they cannot control!" and While I have used them with uniform kindness, Their antagonism is *felt* by me in many ways, and this pressure is one of the results—as I have reason to believe.⁷¹

The removal of employees might be indicative of friction at the agency, but would hardly justify accusing Eastman of mismanagement. However, he initiated policies that did give grounds for that accusation. He requested permission to issue supplies for a longer period than the customary one week. This, he thought, would benefit the more distant Navaho who found it inconvenient to come in every week, but contrariwise, it would work to the disadvantage of those living nearby. The latter could exercise more influence for

69. George Williams to Commissioner, 12/13/79, OIA, W5/80. Eastman to Commissioner, 4/30/79, OIA, E157/79.

70. Eastman to Hayt (confidential), 5/22/79, OIA, E232/79.

Dr. J. B. McNett, Grand Haven, Michigan, was appointed to the vacancy and served from some time in December, 1879, to July 31, 1880. OIA, M2371/79, E222/79; LB 149, pp. 60, 63, and LB 157, p. 482.

71. Eastman to Commissioner, 1/15/80, OIA, E44/80, E115/80. Also LB 155, p. 103. Sutherland to Commissioner, 8/28/80, OIA, B815/80.

good or evil than their distant kinsmen; consequently, from the standpoint of enjoying a peaceful term of office, it would have been the part of wisdom for Eastman not to have initiated the change.⁷² Furthermore, there were two possible ways of issuing goods: allot lump quantities to the chiefs and leaving detailed distribution to them, or place the goods directly in the hands of the individual Navaho. The former had been the practice and Eastman tried to change it.⁷³ This move of course could easily offend men like Ganado Mucho and Manuelito without bringing corresponding influential support for the agent in case of trouble occurring.

Eastman also tried to break up the practice of cohabitation of white men and Navaho women without benefit of the white man's clergy. That, naturally, would irritate the squawmen, and lead to conflict. The liquor traffic was attacked by the agent of course; and, charging that there had been dishonesty in the distribution of Indian supplies in the past, he claimed credit for stopping that practice. This last policy was his crowning offense, so he thought:

I have never stolen the Indians goods—as the Indians state some of my predecessors did—and “whacked up” with this same insatiable “junta” who, I fear, soon again expect to rule here; this, no doubt is my crowning offense, (but I could not purchase a truce at such a cost).⁷⁴

The attack on Eastman was led by George Williams, and weaknesses were found in the agent's armor. He had

72. Eastman to Commissioner, 5/1/79, OIA, E158/79. Also OIA, E274/79.

73. Eastman to Commissioner, 8/12/81, OIA, 17520/81. John Navajo to the Great Father, 7/5/80, OIA, S2313/80.

74. Eastman to Commissioner, 9/8/80, OIA, E460/80.

“And no Indian or chief, to my knowledge has complained—then nor since—that they have not received all their goods & supplies and are fairly and satisfactorily distributed to them too, —and which they have many times said was *not* the case under my predecessors.” Eastman to Commissioner, 8/31/80, OIA, E438/80. Also see OIA, S2313/80.

“No grievances can be redressed through the filthy pool of politics, or through the representatives of the religious bodies who are so misrepresented by the ‘Isariots’ sent out here during the past 15 years.” E. S. Merritt (late acting agent Moquis Pueblo) to Commissioner, 2/6/80, T741-18/80.

unwisely offered E. C. Webber, clerk for Williams, the agency clerkship and the position of agency trader if son Edward Eastman was taken in as partner. Williams also charged that Eastman had a \$12,000 stock of hardware in San Francisco and Los Angeles that he planned to dispense in various ways to the Indians. In preparation for such action, he had taken a trip to the coast ostensibly to purchase school books. The trip cost the government \$387.00; the books, worth \$157.11, could have been purchased by correspondence; consequently, "a gross misappropriation of funds" had taken place, so Inspector Townsend wrote.⁷⁵

The accumulation of grievances against Eastman, on the part of both whites and Indians, plus the economic distress of the Navaho in 1880 and the baneful influence of liquor, led to a crisis in agency affairs during the absence of Eastman in the East. The trouble started in the early spring when the Indians became troublesome at Fort Defiance by breaking into the storerooms and making gestures of stabbing to disturb the ladies. Some of the employees becoming uneasy resigned. Eastman finally took the situation with sufficient seriousness to request a supply of rifles. He expected to rule as usual, "through persuasive and reasonable argument and Christian influences but it is necessary to retain employes." The request was denied, but he was advised to repair some old carbines on hand.

On April 15 he left for Albuquerque to make open market purchases due to the failure of Huning to make deliveries on contract. Shortly after his departure, Dr. McNett and three of the school teachers decamped for Fort Wingate. Their flight was probably precipitated by a letter from George Williams repeating Navaho gossip that there was to be a general massacre of Americans. Williams at least thought that "Anyone who says that we need appre-

75. Townsend to Trowbridge, *Report*, 6/15/80, T741/80. Williams to Commissioner, 12/13/79, OIA, W5/80.

76. Eastman to Commissioner, 4/6/80, OIA, E207/80.

hend no serious trouble is an imbecile or a fool," and advised Dr. McNett to send the ladies East.⁷⁷

Eastman, in Albuquerque, took matters calmly, and attributed any disturbance to "Scare Stories," gotten up by "the ring & with the aid of such employes as they are able to influence as I am informed & believe."⁷⁸ He returned to Defiance on May 1; ten days later, judging that conditions were satisfactory, he requested the employees to return to duty. When they refused he took steps to secure their discharge.⁷⁹ Meanwhile, the commissioner had ordered him to report in Washington, and he left Fort Defiance on May 10.

Rumors of impending trouble continued to fly. The Navaho were reported as being well armed with guns, securing some of them from the Mormons. Certain settlers at Deer Springs, Apache County, Arizona, were warned by Navaho to leave; and likewise Joseph W. Thacker, a trader located at the Fort Defiance cross roads. On the night of May 31, William Evan Golden, enroute to the San Juan country, was murdered near the summit of the Tunicha mountains, about forty-five miles north of the agency, and his companion, John Johnson, was wounded.⁸⁰ The seriousness of the situation seemed to increase with distance from the reservation. L. Bradford Prince, chief justice of New Mexico, wrote directly to President Hayes in order to prevent the return of Eastman, otherwise war

77. Bennett to AAAG, 4/16/80, OIA, AD 209, 520/80. Williams to McNett, 4/11/80, *Ibid*.

The teachers were Miss Crepe McNett, R. Eleanor Griffin, and M. Amanda Eastman. The fugitives told Bennett that the Navaho had handled Eastman very roughly during a recent issue when he tried to prevent crowding.

Their agent "has taught them to look upon the whites as their enemies." George Williams, *op. cit*.

78. Eastman to Commissioner, 4/26/80, OIA, E235/80.

79. OIA, E282/80.

80. See OIA, T715/80 for four affidavits of warnings.

"The Utes on the one hand & the Mormons on the other have without doubt been tampering with the tribe." Sheldon Jackson to Brooks, 8/5/80, OIA, I451/80.

In Eastman's opinion, rifles were sold to Navaho chiefs, but not by Mormons who were peaceful and friendly toward the Indians. Eastman to Commissioner, 2/8/82, OIA, 3257/82.

may be brought on by the acts of one utterly unfit man, apparently devoid of a vestige of common sense, [although he recognized] that in Washington it is almost impossible to distinguish between the clamor raised against a *good* Indian agent, by the rings whose plunderings he has stopped; and the cries for relief of an abused and outraged people at the actions of a dishonest or arbitrary one.⁸¹

Early in June Special Agent E. B. Townsend arrived at Fort Wingate and learned that

the Agency at Defiance appears to be generally demoralized, with exhausted supplies, forage, etc. The Indians are taking advantage of the situation and encouraged by all the *vicious influences* surrounding them are bold, insolent and threatening.

Doubtless he obtained part of his information from Sutherland (clerk in charge during the absence of Eastman) who, returning to Fort Defiance on the 7th after a short absence, found drunk Indians, buildings broken into, and quivers unusually full of arrows. He requested the dispatch of troops.⁸²

Meanwhile, the military had taken action. Colonel Buell was ordered to Fort Wingate, arriving there June 5th with six companies of soldiers. He attributed the trouble primarily to young Navaho with little or no property, influenced by liquor and the troublesome Apache who were making one of their most destructive forays under Victorio. He recommended the arrest and even hanging, if necessary, of certain citizens for selling whiskey and arms to the Indians, and the appointment of Thomas V. Keam as agent.⁸³ General Pope, however, recommended the appointment of

81. 5/7/80, OIA, P678/80.

82. Townsend to Trowbridge, 6/8/80, T715/80.

"The *Navajos* are very restless and the country here is full of rumors and much excitement prevails about their depredations." Townsend, OIA, T714/80. Also Sutherland to Townsend, 6/8/80, T715/80.

83. Buell to AAG, 6/8/80, OIA, AD 209, 556/80.

The Ute to the north were also restless at this time.

Townsend mentioned only five companies of troops. *Ibid.*, 520/80.

Captain Bennett as temporary agent which was approved by General Sherman, "at least during the present year. It may save us one of the most complicated and difficult Indian Wars of this country." Under this pressure, the commissioner so recommended to the secretary of the interior, and Eastman, returning to the West, was instructed to await further orders at Albuquerque.⁸⁴

Bennett assumed charge of the agency on June 13, but the accounts were not transferred officially to him until about August 13, and then as of the date July 1. Eastman had not received notice that he had been "temporarily suspended" until early in August.⁸⁵

The temporary removal of Eastman was followed by a year's long controversy over his return to duty. Inspector Townsend recommended that he be removed:

not for criminal neglect or cause, but for the reason that his management or mismanagement rather, has created great dissatisfaction among the Indians, and because I am impressed with the belief that his continued presence at the Agency *would lead to serious trouble*, and because I believe his usefulness here is ended.

I can but censure the Agent for want of management or efficiency in providing needed supplies and against such an emergency; but it is only just to him to say he has been trying since last March to obtain them and has had almost insurmountable obstacles to overcome of which the Department has been advised.

No positive evidence was found regarding the disturbing influence of Ute, Apache, or Mormon,

but enough evidence *has* been obtained to show beyond any doubt that the most vicious influences

84. Sherman to Secretary of War, 6/9/80, and E. J. Brooks to Secretary of Interior, 6/12/80, *Ibid.*

The secretary of interior wrote, "that had his own brother been in Mr. Eastman's place he should still have felt it his imperative duty to request the War Department to detail Capt. Bennett" to take charge. Brooks to T. W. Ferry, 6/1/80, OIA, LB 157, p. 84.

85. Eastman to Commissioner, 8/6/80, OIA, E368/80.

have been brought to bear to make trouble among them. The condition of affairs at the Agency has been another baneful influence, which might have been used by them as an excuse for making trouble.⁸⁶

The struggle for the agency was waged by the military officers and white settlers on the one side against the church and Senator Ferry on the other, with the former group backing Keam for the position. Basing his opinion upon conversation with several white men, Mr. Taylor, missionary to the Moquis, was

inclined to think that Mr. Eastman had better resign at an early date. I fear that it would be perilous for him to remain. I think that he has been betrayed by the men in whom he trusted, & so much has been said that he is brought low in the estimation of many of the Navahos. . . . Now if I were to be teacher here [Fort Defiance], I should ask for Mr. Keams for agent. . . . He cannot be recommended as a Christian but as the most suitable man under the present condition of affairs.⁸⁷

Mr. Taylor's judiciousness was slightly tempered with calculation, and probably influenced by Keam.

Colonel Buell strongly advised against the return of Eastman to his position, but Sheldon Jackson, who had visited the agency in June, believed that there had been no need to supplant Eastman with Bennett, and accepted the charge that Utes and Mormons had been tampering with the Navaho. Senator Ferry, highly indignant, was convinced that the real source of trouble "is the old ring and military coöperation, that failing to use & control agent Eastman are combining by pretext of Indian dissatisfaction & threats of

86. Townsend to Trowbridge, *Report*, 6/15/80, OIA, T741/80.

87. Charles A. Taylor to Jackson, 7/22/80 and 7/23/80, OIA, I475/80.

Because of departmental objections I refrain from recommending Keam "further than to say, that with the *present state of feeling* among the Navajos I do think their reasonable requests are worthy of serious consideration. They have been *very* unfortunate in their Agents for *many years*. . . ." Townsend to Trowbridge, *op. cit.*

life to effect his removal."⁸⁸ And he was very much surprised to see the change made on the recommendation "of a Department which has steadily and fearlessly maintained that Indian affairs could more safely and beneficently be administered by the Interior rather than by the War Department."⁸⁹

During the fall and winter the tide ran against Eastman. His clerk, Sutherland, was notified of his dismissal by Bennett, effective October 1, to make way for Harry Sinclair, a nephew of the captain. It appeared to Sutherland that the conspirators under the leadership of Keam and Merritt had realized their boast of driving Eastman out, "*if not by fair they would by foul means.*"⁹⁰ And late in September, while waiting in Albuquerque, Eastman learned from Washington that "my usefulness as agent among the Navajos [is] at an end."⁹¹ A decision apparently above question when substantiated by the report of Inspector John McNeil in December. He found that Bennett was quite satisfactory as an agent; Eastman, "earnest, sincere and zealous man, as well as a man of many words," with a martyr's complex, should not return, "and if he is sent back

88. Ferry to Trowbridge, 6/28/80, OIA, F103/80. Jackson to Brooks, 8/5/80, OIA, 1451/80. Buell, *Report*, OIA, W1299/80.

Townsend first reported by telegram from Fort Defiance on June 13 that the stories of trouble were greatly exaggerated. OIA, LR, T717/80.

Clerk Sutherland in a confidential communication to the commissioner, stated that the Navajo were never restless in the summer as reported by the territorial press in an effort to effect Eastman's removal. But the clerk had asked for troops at the agency. He may be trying to distinguish between localized disturbances at the agency and a wider restlessness among the Navaho in general. 11/4/80, OIA, 7075/81.

89. Ferry to Brooks, 7/5/80, OIA, AD 209, 528/80.

"I did not nor would recommend Eastman's employment by the Govt. simply because he is a relative of mine." *Ibid.*

Later on in the course of this controversy General Sherman advised the secretary of war: "I disclaim any desire or purpose for the Army to have control of this or any Agency; and I do not approve of Col. Buell . . .," or any other officers speaking disrespectfully of any agent. 5/23/82, OIA, 10129/82.

"Did you know all that Eastman's enemies have done & are doing—Dr. McNett included you wd wonder how the man could keep his senses. . . . It is simply devilish in the extreme." You would change your mind about McNett if you knew him as he appears on the frontier. Sutherland to Brother, 7/3/80, OIA, AD 209, 528/80.

90. Sutherland to Commissioner, 8/28/80, OIA, B315/80.

91. Eastman to A. Bell, 10/20/80, OIA, AD 209, 877/8.

to the Navajoes, he will in all probability add one more to the three slaughtered agents whose bones lay in the cemetery of there agency."⁹²

But this dire prediction did not prevent the pendulum again swinging in favor of the much criticised Eastman. The spring of the year, when new hopes are born and life seems less harsh, witnessed the temporary defeat of the opposition party. Mr. Keam, the persistent applicant for the position of agent, was again strongly recommended to the commissioner by General Hatch, but without effect:

there are serious charges on file against Mr Keams all from other sources this office is in possession of information which shows that he is not a person to receive an appt as I. A. & I therefore respectfully recommend that the application be denied & Mr Keams informed that further application by him to the present administration will be of no avail.⁹³

So the agent was restored to his post; and as for Keam, it was expected that he would use his reputed great influence with the Navaho "to thwart the efforts" of the whites in selling liquor to the Indians, a chief source of opposition to the agent because of his efforts to suppress the traffic.⁹⁴

On June 11, 1881, Eastman was ordered to proceed to the agency and assume charge. He arrived at Fort Defiance on the 30th and found the military still defiant. General Hatch ordered Bennett to retain control, and General Pope dispatched a strongly worded telegram to the East:

Eastman's course whilst Agt was revolting to common sense & led to such a condition of feeling among the Navajoes that it was absolutely neces-

92. McNeil to Schurz, 12/23/80, OIA, M2510/80.

Henry L. Dodge was killed by Apache Indians in 1856. Theodore H. Dodd died from paralysis January 16, 1869, *The Daily New Mexican*, 1/23/69; he fell a victim to private wrath. McNeil to Schurz, 12/23/80, OIA, M2510/80. James H. Miller was killed in 1872, but whether by Navaho or Ute is a moot point.

93. Price to Secretary of Interior, 6/15/81, OIA, 8721/82. Hatch to Kirkwood (personal), 3/14/81, OIA, AD 209, no. 293.

"I deem it of the utmost importance that Keams should be appointed their agent." Hatch, *Ibid.*

94. Stevens to Keam, 6/3/82, OIA, AD 209, 320/81.

sary for peace and security to displace him abruptly. . . . I beg you to consider this telegram; the Indians were bitter, he reported, and might kill the agent!⁹⁵

But Eastman was equally defiant:

I expect your Dept. to stand by me while obedient to your orders the struggle must be met and to surrender now is to abandon the position to the arrogant and insulting wing of the War Dept, they should not gain thereby. They have—as I believe—endeavored to pack a council of Chiefs today, against me but signally failed this far.⁹⁵

The commissioner simply reported to his superior that Eastman had been restored because there were insufficient grounds for his removal;⁹⁶ so Eastman won the job, but he did not win peace.

Captain Bennett held councils with the Navaho on July 9 and 11, and reported that they objected to the return of Eastman. Several days later the employees of the agency were reported leaving because of the hostile attitude of the Indians toward the agent; but Eastman claimed that it was not serious: the newspaper “‘Boom’ v. me is continuation of effort of last year by military & St Fe traders ‘O’ [Ring].” The chiefs did express a preference for Bennett, he acknowledged, but they were not unfriendly and had not threatened him, so I “Shall *hopefully* continue this struggle and the man they have persistently put forward for my position—not Capt. B.—Shall put up another Job!” Hopefully, but still a little wearied with the struggle, he expressed a wish for a good job elsewhere for himself and son.⁹⁷

95. Pope to Kirkwood, 7/8/81, OIA, AD 209, 589/81. See also OIA, LB 168, p. 8, and 12313/81.

95. Eastman to Commissioner, 7/9/81, OIA, 12260/81.

Capt. B. “says he deprecates the attitude of War Dept! *Strange incompatibility.*” *Ibid.*

96. Price to Secretary of Interior, 7/9/81, OIA, RB 39, p. 641.

97. Eastman to Kirkwood, 8/4/81, OIA, 14482/81. Bennett to AAAG, 7/11/81, OIA, 13625/81. Pope to Col. W. D. Whipple, 7/20/81, OIA, 12701/81.

“All appears quiet and friendly here now. I hope and believe that the ‘Boom’

The oft repeated charge of Eastman that the military were connivers in the attempt to secure his removal in order to get possession of the agency carried the implication of selfish motives. Colonel Bradley stated that

The opposition to Agt. Eastman rests on the ground that he is unfitted to exercise authority over a powerful and intelligent tribe of Indians—that he lacks the experience and judgment necessary for this work. If there is any other objection to Mr. Eastman I do not know of it.

The commissioner inclined to the view that "his honesty is mainly the cause of the opposition manifested toward him by interested parties in the neighborhood of the reservation," and that George Williams or his clerk, Wm. B. Leonard, "are largely responsible." And, "looking at the matter from an intermediate stand point," Inspector Haworth reported, "it had the appearance of an irrepressible conflict."⁹⁸

During the fall and winter months affairs apparently quieted down. Eastman busied himself trying to get more appropriations for his charges. He reasoned that since the Apaches to the south and the Utes to the north were being bribed with generous subsidies to keep the peace, the Navaho should be treated likewise "lest they are made to believe that only bad Indians *do receive most*. Therefore it pays best to be naughty!"⁹⁹ But this line of reasoning did not secure congressional appropriations. The time had come when the government was leaning to the theory of economic self-sufficiency for the Navaho. Expenditures for farm implements from unexpended treaty funds were authorized, but the regular appropriation for the fiscal year 1882-1883 was reduced, necessitating the discharge of the agency clerk, phy-

98. Bradley, *Statement*, 9/3/81, OIA, AD 209, 708/81. Price to Secretary of Interior, 9/3/81, *Ibid.* J. M. Haworth to Kirkwood, 8/15/81, OIA, 9674/82.

99. Eastman to Commissioner, 5/4/81, OIA, 8208/81. Also see OIA, 21050/81.

which begun a year ago last April for military etc. control of this (and other large agencies) is now drawing to a satisfactory close. I am not without anxiety however as to what their next move will be." Eastman to Commissioner, 7/15/81, OIA, 12829/81.

sician, and four other employees.¹⁰⁰ Meantime, Eastman was cautioned against issuing the limited supplies too fast, and under no condition was he to anticipate future appropriations in the effort to keep the Indians satisfied.¹⁰¹ Consequently, when the "irrepressible conflict" broke out in the spring of 1882, the scanty supplies were probably a factor in creating dissatisfaction among the Navaho and trouble for the agent.

In January, 1882, suspecting that Keam was headed for Washington to make another effort to secure the appointment as agent, Eastman urged Senator Ferry to take the initiative in blocking the move:

for me to be known in the matter too prominently would insure me joining company with the *Three* agents who have been murdered heretofore and whose bodies lie mouldering here—as I—(Agent Thomas & others at Santa Fe *know* about the "Miller" matter) believe the victims of (the ring) *this man "Keams" ambition—to be agent!*¹⁰²

The following month George Williams wrote to the post-trader at Fort Wingate that the Indians were going to clear all the Americans out of the country. This scanty evidence led Colonel Mackenzie at Santa Fe to request about six companies of cavalry for a summer sojourn in the Navaho country, a proposal that General Sheridan did not accede to. Again, toward the end of the month, Williams forwarded another bit of disturbing news to the post adjutant, caution-

100. Eastman to Commissioner, 1/21/82, OIA, 2459/82. Price to Eastman, 6/22/82, OIA, LB 175, p. 96. Secretary of Treasury to Secretary of Interior, 5/10/82, OIA, 8803/82.

Under the terms of the treaty of 1868 congress appropriated:

1869 -----	\$140,000
1870 -----	35,000
1871 -----	35,000

Total ----- \$210,000

The balance on hand as of June 30, 1877 was \$156,651.74. Price to Secretary of Interior, 4/12/82, OIA, RB 41, p. 690.

101. Price to Eastman, 12/16/81, OIA, LB 182, p. 336.

102. Eastman to Ferry, 1/24/82, OIA, 3817/82.

ing against revealing the source of information because "now we have no trouble in finding out their deviltries." Colonel Bradley had this report investigated by a special courier who found no evidence to confirm it.¹⁰³ Williams seemed to be a teller of tall tales, or prone to exaggerate tales told to him. But the pressure was building up against the agent.

In April, S. R. Martin, a special agent from the department of justice, visited Fort Defiance long enough to talk with

every white man at the agency—with both the Interpreters and through them with a large number of Indians and . . . it is my firm belief that if Eastman is not removed in a very short time there will be war with the Navajos. . . . Mr. Eastman is a gentleman and treated me most kindly, but if he was the Angel Gabriel the Government has no right to keep him in place. . . .

This information was forwarded to the secretary of interior with additional reference "for the absolute veracity of the writer."¹⁰⁴ The specific reasons for the opinion of Martin were not new and Eastman, needless to say, denied all charges. But there were disturbances around the agency that indicated considerable dissatisfaction among the Navaho with their agent. Getting drunk and raising a commotion was an expression of this feeling,¹⁰⁵ but the crux of the matter was the lack of sufficient supplies. To remedy this situation, Manuelito naïvely requested that a new agent be appointed, one who could furnish the desired goods. Eastman explained "for the 1000th time more or less—that an Agent cannot give them supplies & goods only as the Great

103. Williams to PA, 2/26/82, AGO, 1148/82. Bradley to AAAG, 3/2/82, *Ibid.* Williams to Hopkins, 2/10/82, OIA, 4499/82.

104. Martin to Brewster Cameron, 4/7/82, OIA, 7256/82. Attorney General to Kirkwood, 4/13/82, OIA, 7256/82.

105. March 11, on issue day, several drunk Navaho appeared, caused trouble, and led Eastman to request troops, but he later changed his mind. "Is not the ordeal test offered these Indians by the onward march of civilization and Railroads, to them a terrible one. . . ." Eastman to Commissioner, 3/11/82, OIA, 5472/82; also 5483/82.

Father says he may do it." Eastman also expressed the private opinion to his superior that Manuelito was just "speaking his piece . . . in concert with the latest effort of the opposition . . . for he has but recently returned from Rio Grande, Santa Fe and Fort Wingate, the 'Juntos' head quarters."¹⁰⁶

The following month Keam reported to Secretary Teller, citing Ganado Mucho as his informant, that the principle chiefs agreed to drive Eastman out of the country if a new agent was not sent to replace him, their ultimatum to expire in eighteen days. Eastman replied to this with an affidavit signed by Henry Dodge, interpreter, that the Indians had merely asked for a new agent who could give them more goods and supplies and had expressed no hostility toward him. And as for fear of violence, he wrote, "I have never felt any fear of the Navajos, neither do I now, and have no intention of resigning under *pressure* of this character."¹⁰⁷ And he was backed by the commissioner who was

convinced that villainous white men among them and near their reservation, have been for several years trying to influence them to disregard every request or command made by their agent for their good, and have in every underhanded way, tried to weaken the influence of the Agent over them, [and] for the basest purpose. . . .

106. Eastman to Commissioner, 4/20/82, OIA, AD 209, 320/81.

"Mr. Eastman seems to have no friends among the Navajos, they threatening and making demonstrations of such a nature that we are, at this writing fearful that the next issue day will bring us trouble. The Interpreter having gone away angry, and remarked to Mr. E in presence of others that if Mr. E did not leave they would run him off again." Mrs. J. D. Perkins to Price, 4/22/82, OIA, 8120/82.

Mrs. Perkins was the wife of the superintendent of the Navaho boarding school at Fort Defiance with whom Eastman was also having his troubles: the question of meals on weekends for the pupils "had made another cause for quarrelsome hard sayings, and fault finding, which is so hard to bear hear, as it is all we hear or know outside of our school—work which is pleasant and harmonious and in a great measure makes up for the quarrelsome spirit of Mr. Eastman and his clerk." Mrs. Perkins to Commissioner, 1/6/81, OIA, 1039/82.

Mrs. Perkins also later charged that "Mr. Eastman's stronghold is on paper. His manipulations of the goods etc sent for the Navajos are such that they despise him. . . ." Perkins to Price, 5/1/82, OIA, 8660/82.

107. Keam to Teller, 5/18/82, OIA, AD 209, 320/81. Eastman to Commissioner, 6/14/82, *Ibid.* Dodge, "Affidavit," 6/14/82, *Ibid.*

If necessary, he stated, force would be used to secure obedience to the agent.¹⁰⁸

The situation was approaching a climax. The secretary of interior called for copies of the charges that had accumulated against the agent, and Inspector Howard was detailed for further investigation at the reservation. His confidential report did not reveal any startling disclosures that had not already been brought to light, but he made a point of the fact that Eastman had lost the confidence of his charges and seemed to have little control over them. He mingled too little with the Indians scattered around the reservation, and had confessed his inability to organize a force of Navaho police to enforce his authority; consequently, the real need of the moment, Howard stated, was a strong man, one "who will not say 'I can't,' when directed to organize a police force. . . ." ¹⁰⁹

This report was the *coup de grâce* for Eastman. A strong man was to be appointed in his place—but he was not to be Mr. Keam.¹¹⁰ Secretary Teller so ordered in August, 1882, and two months later the commissioner acted upon that decision. In his last report Eastman expressed the hope that the hold of the military and the Santa Fe ring upon the Navaho agency would be brief. By working with them, he wrote, "an Agent might avoid *that* 'whirlpool of Charybdis,' during said Junto's pleasure *only!*, but, ought his reward for fidelity to his Dept. and duty, to be the alternative—stranded on the 'Scyllas's Rock'?"¹¹¹

108. Stevens to Keam, 6/3/82, *Ibid.*

109. C. H. Howard to Teller (confidential), 7/4/82, OIA, AD 209, 521/82.

110. Agent Martin had repeated the recommendation for the appointment of Keam, but additional charges against him had accumulated and denials entered:

"he was more or less mixed up in the case of the killing of a Navajo by his brother William." Eastman to Commissioner, 4/28/82, OIA, 8721/82.

"I have actual knowledge of his repeated attempts to influence the navajos against their agent, and in fact all whites (not his especial friends) from living in this section of country [the western part of the Navaho country]," and he has knowledge of the murder of Myrick and Mitchell. Philip Zoeller, *Deposition*, 6/20/82, OIA, 11725/82.

But Keam had no knowledge of the murder of two white men near Navaho mountain in 1879 until long after the crime was committed, despite Eastman's effort to implicate him, according to John Navajo, *Affidavit*, 12/22/82, OIA, AD 209, 10/83

Eastman to Commissioner, /8/4/82, OIA, 14834/82.

111. Eastman to Commissioner, 11/30/82, OIA, 22073/82.

TROUBLOUS TIMES IN NEW MEXICO 1659-1670

By FRANCE V. SCHOLES

CHAPTER XI (CONCLUSION)

I

AS NOTED in Chapter IX, the successor of Friar Alonso de Posada as custodian of the missions and commissary of the Holy Office was Friar Juan de Paz, who took office in the summer of 1665.¹ Although the effective transfer of authority occurred in July soon after the arrival of Paz at Santo Domingo, the ecclesiastical capital of the province, the official reception of the new prelate in Santa Fé was delayed until September 26. Paz served in the dual capacity of local prelate and representative of the Inquisition until toward the end of 1667, when Friar Juan Talabán succeeded him as custodian.² Contrary to former practice Talabán was not appointed commissary of the Holy Office. Paz remained in charge of the Inquisition business for another year, but was finally replaced by Friar Juan Bernal.³ The latter served as commissary until he became custodian in 1679 or 1680.⁴

1. Friar Juan de Paz was elected custodian at the meeting of the provincial chapter on August 23, 1664. *Custodios de N. Mexico*, B. N. Mex., legajo 9, doc. 8. On February 4, 1665, the Holy Office sent him the appointment as commissary and general instructions. A. G. P. M., Inquisición 590, f. 384. He made the journey to New Mexico with the mission supply caravan. Documents recording his official reception as prelate and the reading of the edict of the faith are in A. G. P. M., Inquisición 606, ff. 150-152.

2. Friar Juan Talabán was elected custodian at the meeting of the provincial chapter on May 7, 1667. B. N. Mex., legajo 9, doc. 8. He took office prior to January 15, 1668, the date on which he participated as custodian at the dedication of the church in the Manso mission of Nuestra Señora de Guadalupe del Paso. See *New Mex. Hist. Rev.*, IV (1929), 195-201.

3. On April 13, 1668, the Holy Office sent Friar Juan Bernal his appointment and general instructions as commissary. A. G. P. M., Inquisición 590. The exact date on which he took office as the successor of Paz is not known. The records show that Paz was still serving as commissary on November 16, 1668. The first reference to Bernal as commissary is dated February 18, 1669.

4. Bernal was elected custodian at the meeting of the provincial chapter on July 15, 1679. B. N. Mex., legajo 9, doc. 8. The date on which he took office in New Mexico is not known. The *Autos tocantes*, etc., A. G. P. M., Provincias Internas 37, exp. 6, which describe the events of the Pueblo Rebellion, refer to him as custodian.

His successor was Friar Francisco de Ayeta, who was apparently named as commissary in 1679 prior to his departure for New Mexico with the mission supply service.⁵

During the summer and autumn of 1665 Paz, acting in his capacity as representative of the Inquisition, conducted certain business relating to the Peñalosa case in order to complete the record, and the entire file of original testimony was sent to the Holy Office in October when the supply caravan returned to New Spain. Certain depositions of minor importance concerning other persons were also received, but these need not be described here. The most important new business related to the conduct of Cristóbal de Anaya Almazán after his return to New Mexico in May, 1665.⁶

Although Anaya had been found guilty of certain offenses against the faith and had been ordered to make public retraction of his errors, he adopted a defiant attitude not in keeping with his position as a penitent of the Inquisition. At first he refused to deliver the copy of the sentence of the tribunal to Friar Alonso de Posada, who still held office as commissary, and he went about telling his friends that he had been acquitted and that the witnesses who had testified against him would be arrested. His boldness was inspired in part by the fact that he had gained the favor of the new governor, Fernando de Villanueva, who had appointed him *alcalde provincial de la Santa Hermandad*. After repeated demands by Posada, he finally presented the sentence, and on July 19 he made public confession and retraction of his errors during services in the Sandía church. But even after this ceremony he continued to proclaim his innocence, and explained that he had complied with Posada's demands "in order to put an end to gossip and rumor." It was also reported that he made dire threats against Posada and his notary, Friar Salvador de Guerra.

5. The *Autos Tocantes*, *loc. cit.*, refer to Ayeta as commissary in 1680.

6. Proceedings in the Anaya case, 1665-1669, are found in *Proceso contra Anaya*, A. G. P. M., Inquisición 582, exp. 2, and in *Autos remitidos del Nuevo Mexico por fray Bernal Comissario de Santo Oficio q.a Xptoual de Anaya Almazán. Año de 1669* Inquisición 666, ff. 531-568.

This unrepentant attitude naturally created scandal, and on September 14 Paz started a formal inquiry. He found that many persons were unwilling to testify, however, because they feared the displeasure of the governor, who had shown a certain hostility toward the prelate. Under the circumstances Paz found it impossible to complete the investigation before the departure of the supply caravan a few weeks later. During the winter of 1666-1667 a few more witnesses were examined, and Paz apparently convinced the governor that his appointment of Anaya had been a mistake. On September 14, 1667, subsequent to his return from a business trip to Parral, Anaya received official notice that because of his punishment by the Holy Office he could not serve as *alcalde provincial* and that he was removed from office. In accepting notification of this order he stated that he recognized the error he had committed in accepting the appointment, and begged the pardon of the Holy Office. In 1669 Friar Juan Bernal completed the investigation and sent the complete file of testimony to the Inquisition.

The second case investigated by Friar Paz involved the veteran soldier Juan Domínguez de Mendoza.⁷ In the spring of 1666 Domínguez, who was serving as lieutenant governor and captain general, led a detachment of soldiers on a punitive expedition against the Apaches in the Ácoma area. On March 26, when the soldiers were returning from the campaign, camp was made at the foot of the Peñol de Ácoma. Several Indians, who came down from the rock to visit the camp, made complaints against their minister, Friar Nicolás de Freitas, and by order of Domínguez their statements were recorded in writing. This action aroused the anger of Friar Diego de Santander, who was also stationed at Ácoma, and despite his infirmities he had the Indians carry him down to the camp where he soundly rebuked Domínguez, accusing him of deliberate violation of ecclesiastical im-

7. Proceedings in the Domínguez case are found in two expedientes, A. G. P. M., Inquisición 604, ff. 192-214, and 610, ff. 61-71.

munity. Later in the day both Santander and Freitas sent letters of complaint to the prelate.

The evidence concerning this incident was contradictory on one important point. According to the friars, Domínguez summoned the Indians from the rock and invited them to register complaints against their minister. Soldiers who were present declared, however, that the Indians came of their own accord and began to denounce Freitas for having flogged certain persons for various offenses, whereupon Domínguez gave orders to have the testimony taken down in writing in order to make a report to the governor and the custodian.

But the complaints against Domínguez filed by Santander and Freitas were not limited to the Ácoma incident. In his letter from Ácoma, dated March 26, and again in a formal deposition made on April 1, Santander accused Domínguez of long-standing hostility toward the clergy, citing various incidents that had occurred during the preceding years. He alleged that Domínguez, during the time that he had served as *alcalde mayor* of Sandía and Isleta by appointment of Governor López de Mendizábal, had "persecuted . . . the ecclesiastics, accusing them of false and ugly things and making continual investigations against them," with the result that three guardians of Isleta and three others at Sandía were moved to other posts. He had also incited an Indian of Jémez to make "an infamous deposition" against Friar Salvador de Guerra. So great had been his animosity toward the friars that on one occasion López de Mendizábal, "who was so unbridled in his speech against the [clergy]," had found it necessary to upbraid him for a shameful letter denouncing one of the friars of Sandía. It was also during this time that the Indians of Sandía and Isleta, with the consent and sanction of Domínguez, had resumed public performance of the *catzinas*. Finally, Santander cited evidence to show that Domínguez' views on the question of spiritual relationships were suspect.

The letter of Freitas, dated at Ácoma on March 26, also

referred to Domínguez' activities during the López period, and noted especially the report that he had summoned Indians to testify "concerning the life and customs," of the friars. His conduct, so Freitas said, had been so notorious that many persons had asked, "How is it that the Holy Office has not arrested Juan Domínguez?"

Investigation of the complaints filed by Santander and Freitas proceeded slowly, and it was not completed until after Bernal took office as commissary. Part of the evidence was sent to the Holy Office by Paz in 1667, and another file was forwarded by Bernal two years later.

The cases of Anaya and Domínguez show that the events of the López-Peñalosa period still continued to exert an unfortunate influence in provincial life. Further evidence of this is found in a letter of Paz, written on February 28, 1667, when he forwarded the first file of papers on the Domínguez affair. He explained his failure to summon all of the witnesses who could have given testimony by citing the delicate state of the opinion in the province. He said that many persons had been "terrorized" because Santander had mentioned their names, and he also stated that news of the arrest of Peñalosa by the Holy Office had aroused widespread "fears."⁸

Two letters of the *cabildo* of Santa Fé written in 1667 also illustrate the lingering bitterness and resentment that had been engendered by past events. The first letter, which was addressed to the Bishop of Durango, reiterated the old complaint that the friars exercised the powers of ecclesiastical jurisdiction in an arbitrary manner. Censures were imposed "to avenge passions;" the custodians initiated proceedings in ecclesiastical cases "without form or justice;" dispensations for marriage granted by one prelate were sometimes revoked by his successor: and the citizens were threatened with the power of the Holy Office for "frivolous causes." The *cabildo* appealed to the bishop to remedy this

8. Paz to the Holy Office, February 28, 1667. A. G. P. M., Inquisición 600.

intolerable situation, which had existed since the founding of the province, by the appointment of a *cura vicario* to exercise jurisdiction in ecclesiastical cases and protect the citizens against the arbitrary conduct of the friars. It was pointed out that the provincial tithes were sufficient to support two or three secular priests in a decent manner.⁹

For some time the prelates of Durango had been anxious to extend the jurisdiction of their see to include the province of New Mexico, and this appeal offered a new opportunity to reopen the issue. The bishop immediately took action, therefore, to bring the situation to the attention of the viceroy. The commissary general of the Franciscan Order in New Spain countered this move by a petition alleging that the bishop's action constituted a violation of recent *cédulas* on the *real patronato*. The matter was reported to the *fiscal* of the *audiencia*, and later to the *real acuerdo*, for consideration, and the viceroy finally ordered the bishop to file formal reply to the commissary general's petition.¹⁰ We have no record of the bishop's reply. In any case, it is clear that no action was taken at this time to limit the exercise of ecclesiastical jurisdiction by the Franciscans in New Mexico.

The second letter of the *cabildo* was addressed to the tribunal of the Holy Office. It called attention to the long series of disputes involving the exercise of ecclesiastical jurisdiction that had occurred in the past, and complained of the fact that all ecclesiastical authority was exercised by the Franciscans. But the immediate purpose of the letter was to register protest concerning a scurrilous satire depreciating the civil authorities, alleged to have been written by Friar Nicolás de Enríquez, notary of Paz for Inquisition business. This had caused another *pleito* involving ecclesiastical jurisdiction, and the *cabildo* appealed to the Inquisitors to intervene. It suggested that the most suitable remedy, in so far as the Inquisition was concerned, would be the appointment of a secular priest as commissary. Such

9. B. N. Mex., legajo 1, doc. 22.

10. B. N. Mex., legajo 1, doc. 26.

action would also facilitate the success of the *cabildo's* appeal to the Bishop of Durango for the nomination of a *cura vicario* to exercise the functions of ecclesiastical judge ordinary.¹¹

This letter received sympathetic consideration by the *fiscal* of the Holy Office to whom it was referred for an opinion. He advised that Paz should be instructed not to employ Enríquez in any business pertaining to the Holy Office, and that he should make a secret inquiry to establish authorship of the satire. Furthermore, he proposed that the tribunal should give the *cabildo* assurance that appropriate action would be taken to punish abuses committed by the local representatives of the Holy Office.¹²

The recommendations of the *fiscal* were indicative of a general trend of opinion in the tribunal with regard to New Mexico affairs. In 1666, after receipt of reports from Paz complaining of the unfriendly attitude of Governor Villanueva, it was voted to instruct the prelate to take care to maintain "peace and concord with the governors, in order to give no cause or motive for scandal, for in that [way] he will exercise his commission without any disturbance or hinderance."¹³ When the testimony in the Anaya case was received, the *fiscal* expressed the view that ignorance and animosity toward the friars rather than malicious intent had inspired Anaya's conduct, and advised that no further action should be taken. He also pointed out that the sentence in the original *proceso* had not prohibited Anaya from holding public office.¹⁴

In the Domínguez case the tribunal expressed sharp disapproval of the proceedings. When the first set of depositions was received, the case was referred to the *fiscal*, and it was probably the latter who wrote on the first page of the record: "All of the witnesses who testify against him are

11. A. G. P. M., Inquisición 610, ff. 120-124.

12. *Ibid.*

13. *Parecer* of the *fiscal*, and decree of the Holy Office, July 9, 1666. A. G. P. M., Inquisición 600, f. 155.

14. *Autos remitidos . . . qa xptoual de Anaya Almazán*, A. G. P. M., Inquisición 666.

friars and it appears that they are inspired by malice."¹⁵ Two years later, after receipt of a more complete file of testimony, the tribunal sent the following despatch to Bernal, who had succeeded Paz as commissary.

To the Commissary of New Mexico Fray Juan Bernal:

The attestations which he remits against Juan Domínguez de Mendoza, citizen of that province, were received in this Tribunal with a letter of March 15. And because the impropriety and lack of civility with which his predecessor, Friar Juan de Paz, proceeded have been recognized, it has seemed wise to warn our commissary that in dealing with matters which may present themselves in future, he is to take due care not to use the jurisdiction of this Holy Office except in cases for which the instructions given to our commissaries make disposition. Enmities or lack of respect for the friars and the custodian shown by the royal justices or other private individuals are not to be introduced into the *fuero* of the Inquisition nor are our commissaries to meddle in matters so remote from our office, eager to make every affair and case an Inquisition matter, thus giving rise to much prejudice and hatred against this Tribunal. This has been said to our commissary so that with due care he may avoid what his predecessor has brought about by his ignorance. God keep, etc. Holy Office of Mexico and October 25, 1669. Lords Inquisitors Ortega and Ynfantas.¹⁶

The attitude of the Holy Office with regard to Inquisition business in New Mexico is also illustrated by its reaction to another case which occurred after the Domínguez affair. In 1668 Paz ordered the arrest of an itinerant merchant named Bernardo Gruber who had been accused of the practice of superstition.¹⁷ After being held in jail for two years Gruber finally escaped in the summer of 1670 and fled along

15. A. G. P. M., Inquisición 604.

16. A. G. P. M., Inquisición 590, f. 513.

17. *Autos remitidos por Fray Juan Bernal Comissario de Nuevo Mexico contra Bernardo Gruber por supersticioso*. 1669. A. G. P. M., Inquisición 666, ff. 372-416.

the *camino real* toward El Paso. A few weeks later his bones were found near the site known as Perrillo, and it was believed that he had been killed by an Apache Indian who had served as his accomplice in breaking jail. When the testimony in the case, which was forwarded by Bernal in the spring of 1669, was received in Mexico City, the Inquisitors expressed sharp criticism of Paz' action in arresting Gruber. In a letter to Bernal, dated October 20, 1669, only five days before the despatch quoted above, they pointed out that the local commissaries of the Holy Office had no authority to make arrests without express orders from the tribunal, except in certain cases that were not likely to occur in New Mexico. They stated that Paz' conduct of the case had been characterized by "gross ignorance and by lack of attention to the obligations of his office," and they cautioned Bernal to exercise extreme care in observing the instructions issued by the tribunal in order to avoid similar "excess" in future.¹⁸

The instruction to avoid intervention in the Church-State controversy and the condemnation of Paz' action in the Gruber case apparently produced positive results. The documentary sources record only one new case investigated by Bernal during the decade 1670-1680. This affair involved an ignorant soldier named Francisco Tremiño who boasted a pact with the devil. Bernal examined a few witnesses and transmitted the testimony to the Holy Office, but there is no evidence that the accused was ever brought to trial.¹⁹

On the eve of the Pueblo Revolt, Church-State relations gradually improved, and prior to 1680 a temporary reconciliation of the opposing factions was achieved. The growth of local harmony was due to several factors. The policy of non-intervention adopted by the Holy Office subsequent to 1665 removed one source of friction, and the Inquisitors deserve credit for their clear-sighted and impartial attitude toward local affairs at this critical period. Another factor

18. A. G. P. M., Inquisición 590, f. 513.

19. *Autos remitidos por el comisario del Nuevo Mexico q.a Francisco Tremiño que se dice asiste en las Provincias de Sonora.* 1670. A. G. P. M., Inquisición 616, ff. 1-13.

was the character of the custodians and governors who administered local affairs during these years. The prelates who succeeded Paz were more interested in missionary administration than factional dispute. Little is known concerning the two immediate successors of Governor Villanueva, but according to all accounts the third, Juan Francisco de Treviño, worked in close harmony with the friars. In fact, it was during his administration that energetic measures were made to combat the resurgence of Pueblo religion, and the severe punishment meted out against native priests was apparently a factor in promoting the success of the general conspiracy of 1680.

For several years (1667-1672) drought and resulting crop failures caused widespread suffering, and it was necessary for the friars and colonists to pool their food supplies. At this time many persons who had complained of the farming and stock raising activities of the Franciscans probably received succor at the convent doors. The Apache raids increased in frequency and violence year by year, and the punitive expeditions sent out to the frontiers achieved only temporary success. Famine and the Apache attacks finally forced general abandonment of the pueblos of the Manzano Tiwa and the Tompiros in the Salinas jurisdiction, and toward the end of the decade 1670-1680 the enemy grew bold enough to raid the villa of Santa Fé. Growing unrest among the Pueblos also manifested itself by abortive local conspiracies and the increasing activities of the native Pueblo priests. In the face of all these dangers common action became an imperative necessity.

The Franciscan historian, Friar Agustín de Vetancurt, tells us that the final reconciliation of Church and State during this period was the result of a miracle. About six years before the Revolt a young girl, daughter of the *alguacil mayor* of the province, was cured of a serious illness by commending herself to the Holy Virgin. After her recovery she said that the Virgin had told her: "Child, rise up and state that the Custodia will soon be destroyed because of the

lack of reverence it has for my priests, and that this miracle will be testimony of the truth; and that [the citizens] must make amends for their guilt unless they wish to suffer punishment." When the news was published abroad, a mass was sung, "and the lawsuits and judicial proceedings against the priests filed in the archive were burned."²⁰

It is not surprising that the devout chronicler, who was thoroughly conversant with New Mexico affairs, felt that only a miracle could have achieved such a happy result. But he adds: "For hidden divine reasons and secret ends God permits that calamities shall be suffered."²¹ In 1680 the Pueblo Indians rose in revolt against their rulers, and the colony was too weak to make a successful resistance.

II

The unhappy events of the López-Peñalosa period left deep scars that were never entirely obliterated. The reconciliation of opposing interests which was achieved on the eve of the Pueblo Revolt was largely due to urgent necessity. In later years, after the province was reconquered, the old rivalries reappeared. In the eighteenth century Church-State controversy was apparently less acute than in the hectic years discussed in this essay, but the problems were essentially the same.

The fundamental issues at stake were derived from the conflict of religious and economic motives in colonial administration. They arose in one form or another in all parts of Spanish America. In seventeenth century New Mexico it was inevitable that this conflict of interest should become the central problem of intra-provincial relations. The province was primarily a mission area, and the Franciscans naturally regarded the conversion and indoctrination of the Indians as the most important objective of local administration. Nevertheless, the religious motive was never so completely dominant as in Paraguay, the classic example of a missionary

20. Vetancurt, *Teatro Mexicano* (México, 1871), III, 326-327.

21. *Ibid.*

province. From the beginning the Hispanic colony had to be reckoned with, and in the course of time it exerted increasing influence in provincial affairs. Moreover, the very lack of rich natural resources intensified the rivalry between the missionaries and the colonists. The Pueblo Indians, their lands and their labor, constituted the chief resource to be utilized, and the soldier-settlers oppressed them with a heavy hand. The friars, realizing that exploitation of the Indians would thwart the success of the missionary program, resisted abuses with all the means at their disposal.

The loyal and inspired devotion of the Franciscans to the missionary cause commands profound admiration and respect. Many of the friars who labored in New Mexico sacrificed not only the relative ease and comfort of life in Spain or Mexico, but also promising careers within the Order to undertake the arduous and frequently dangerous task of converting a new people to the faith. Their only reward was the opportunity to extend the kingdom of God in a new land, and for most of them that was enough. Some eagerly sought and received the martyr's crown. But no less worthy of praise are those faithful men—Friars Esteban de Perea, Cristóbal de Quirós, Juan de Salas, García de San Francisco, Antonio de Ibargaray, Juan Ramírez (the founder of the Ácoma mission), Andrés Juárez, Jerónimo de Pedraza, José de Espeleta, to mention only a few—who gave twenty, thirty, and forty years to unremitting labor as missionaries to the Pueblos.

Yet the Franciscans in New Mexico had their faults as well as their virtues. A few were unworthy of the habits they wore. Others, inspired by personal passion and animosity, were restless troublemakers. The major fault of the group as a whole was a tendency to insist too much on the privileges and immunities of their ecclesiastical status. In major crises involving disagreement with the civil authorities, defense of their legal rights and of the ecclesiastical jurisdiction was perfectly justifiable, but there is also evidence that the friars were often over-sensitive concern-

ing their status on occasions of comparatively small importance. Likewise, there is some justification for the complaint of the citizens that censures were sometimes employed with too much freedom and in a rather arbitrary manner. Moreover, the concentration of all ecclesiastical authority in the hands of a single Order gave the Franciscans an extraordinary measure of power which could easily be abused unless exercised with discretion and restraint.

With regard to civil authority, it is clear that New Mexico had more than its quota of unscrupulous, self-seeking governors, whose sole aim was personal profit and advantage. Some of them were inspired merely by avarice, but others combined greed with personal impiety and lack of sympathy for missionary enterprise. Eulate, Martínez de Baeza, and Rosas were examples of this type during the first half of the century. López de Mendizábal was the classic example of a governor who turned his office into a commercial venture. His ultimate failure was not due to lack of business acumen, but in considerable measure to unfortunate traits of character. He had the unhappy faculty of arousing almost universal hostility. Some of the reforms which he attempted to introduce were praiseworthy, but he doomed them to failure from the start by his arrogant, tactless conduct. And his unhappy relations with the friars were as much the result of his personality and his tendency to indulge in biting, scathing epithet, as of his policies with regard to fundamental problems of mission administration. Concerning Peñalosa there is no need to add to the remarks made in the preceding chapter.

The isolation of the province was responsible for the perpetuation of abuses once they were established. Although numerous appeals were made to Mexico City for a remedy against arbitrary exercise of power by governors and custodians, the viceregal authorities and superior Franciscan prelates either ignored them or took half-hearted and ineffective measures. The *residencias* of the provincial governors were often characterized by fraud and bribery, and

in certain cases, of which the López *residencia* is the best example, they merely served as an opportunity for the incoming governor to feather his nest at the expense of his predecessor.

The most powerful weapon which the Franciscans enjoyed was the authority of the Holy Office. The story of Inquisition activity in New Mexico during the López-Peñalosa period proves how effective this weapon could be at a time of crisis. But the Inquisitors finally realized that the Holy Office had become too closely identified with ordinary ecclesiastical jurisdiction in the province and that its authority had been used for purposes foreign to its true function. In order to prevent loss of prestige and respect for the tribunal, they found it necessary to clarify the position of their local representative with regard to the long-standing Church-State controversy. This explains the policy of non-intervention adopted subsequent to 1665. The separation of the offices of custodian and commissary in 1668 was also directed toward the same end.

The most unfortunate result of local factionalism was the demoralizing effect it had on the Pueblo Indians. The Spanish conquest and occupation of the province had been a major shock to native life and thought, and although the Indians made an outward adjustment to the new ways, they remained fundamentally loyal to their old culture tradition. Although the Spaniards realized that there was a strong undercurrent of resistance among the Pueblos, they misjudged the situation in one important respect. They apparently failed to understand that acceptance of European modes of life, especially a new faith, threatened the very foundations of Pueblo culture, and that the native leaders would not only defend the old ways to the bitter end, but exploit every sign of weakness and disunity on the part of their new masters. The lack of agreement on the part of governors and prelates on such important questions as the maintenance of mission discipline, the performance of the native dances, and the employment of Indian labor, and the

unedifying spectacle of public quarrels between the heads of Church and State caused the Indians to lose whatever respect they had for Spanish authority except that inspired by force. But the effectiveness of force depended upon internal harmony within the colony. Seventy years of controversy had made the province a house divided against itself, and the temporary reconciliation brought about in the 1670's came too late to nullify the cumulative effect of long discord.

THE END

INDIAN AFFAIRS IN NEW MEXICO UNDER THE
ADMINISTRATION OF WILLIAM CARR LANE

From the Journal of John Ward

(Concluded)

Edited by ANNIE HELOISE ABEL, PH.D.

1.

Santa Fe January 1st 1853

Saturday—

The mail for Independence left this morning—No Indians here today.

John Ward

Sunday Jan^y 2nd 1853

Agent Baird left this afternoon toward his Agency, the Texas mail left this morning for El Paso.

John Ward

Monday Jan^y 3d 1853

Mr. A. Lacombe from Taos made an application for a license to trade with the Navajoes—the license was granted.

Several Pueblo Indians, here today but having no business with the Office they were all put off.

John Ward

Tuesday Jan^y 4th 1853

Mr. Gleason from Anton Chico came in this afternoon bringing with him a letter dated 28 ult, from Agent Steck, to the Gov^r, in which he states that on the 26 ult he met at Anton Chico about 200 Mescaleros and Jicarilla Apache Indians all in great want for provisions. Mr. Steck made them several presents and gave them all some corn in the way of provisions, with which they were much pleased.

John Ward

2.

Santa Fe Wednesday January 5th 1853

Ward left this morning for Galisteo in order to see the stock belonging to the Ind. Dep^t now in charge of Mr. Ellison at his Rancho.

John Ward

Thursday Jan^y 6th 1853

Ward returned this afternoon and reports the stock doing well. No Indians here today.

John Ward

Friday Jan^y 7th 1853

Several Indians here, but all left in the afternoon for their homes.
John Ward

Saturday Jan^y 8th 1853

Archuleta, Gov. of San Juan, here this morning, but left in the afternoon.

John Ward

Sunday Jan^y 9th 1853

No Indians here today—nothing much done in the way of Ind. Affs.
John Ward

3.

Santa Fe Monday Jan^y 10th 1853

Bicento Valencia as gov^r and Rafael Anto. Garcia as Lieut. gov-
ernor with two other Indians from San Felipe, came in to inform the
Supt, that they had been elected by their people as above, and desired
to be installed in their respective offices—had to feed them all and
forage their animals,

Expenses \$2.00.

John Ward

Tuesday Jan^y 11th 1853

The San Felipe Indians left this morning after breakfast.

By Mr. Manzanares, Prefect of Rio Arriba County, we learned that
the Utahs and Jicarilla Apaches have stolen some sheep from that
neighborhood.

The Gov^r got the receipt of the above information, sent a runner
off with a letter to Agent Steck in order that he may investigate the
matter on his way down from Taos.

Four Tesuque Indians here today.

Expenses \$2.37½.

John Ward

Wednesday Jan^y 12th 1853

Carlos from Tesuque and Vigil from Santo Domingo made an
application for a pass to go out and trade with the Comanches, the
pass was granted to them.

Expenses \$1.00.

John Ward

4.

Santa Fe Thursday Jan^y 13th 1853

Bautista Curis, as Gov^r, and Juan de Dios, as Lieut. Gov^r, with
five other Indians from Santo Domingo, came in to inform the Supt,

that they had been elected by their people as above, and desired to be installed in their respective offices.

Expenses \$2.87½.

John Ward

Friday Jan^y 14th 1853

The Santo Domingo Indians all left this morning after breakfast. Juan Antonio as Gov^r, and Torivio Herrera as Lieut. Gov^r, with three others from the Pueblo of Cochiti also came in today in order to be installed in their respective offices.

Expenses \$2.25.

John Ward

Saturday Jan^y 15th 1853

The Cochiti Indians left this morning after breakfast. Juan Cristobal Chavari, as Gov^r and Jose Domingo, as Lieut. Gov^r, with three other Indians from Santa Ana, also came in to report their having been elected as above and to be installed in their offices.

Expenses \$1.43¾.

John Ward

5.

Santa Fe Sunday Jan^y 16th 1853

Jose Lobuto as Gov. of Acoma,⁷³ with Salvador Garcia from San Felipe Act^s as Interpreter, came in this morning to inform the Supt that he was elected Gov^r this year by his people, and desired to be installed in his office.

In the afternoon 4 Taos, and one Jicarilla Apache Indians came in, and also two Santa Clara Pueblos—had to feed them all.

Expenses \$3.87½.

John Ward

Monday Jan^y 17th 1853

The Acoma and Santa Clara Indians left this morning after breakfast.

The Apache and Taos Indians still here.

Expenses \$1.37½.

John Ward

Tuesday Jan^y 18th 1853

The Apache and Taos Indians all left this morning.

Pablo from Taos came in the forenoon, and also 7 more Indians

73. For an account of Acoma, valuable as bearing upon the question whether or no the pueblo settlements antedated Spanish occupation, see George P. Hammond, *Don Juan de Oñate and the Founding of New Mexico*, Historical Society of New Mexico, *Publications*, vol. ii (October, 1927), pp. 106-123.

from the Pueblo of Silla, the Gov., Lieut Gov., and staff—they came to be installed in their respective offices.

John Ward

Wednesday Jan^y 19th 1853

H. E. Gov. Lane left this morning on a visit to Taos in company with Mr. Ortero, and Dr. Massey.⁷⁴

Pablo from Taos left this morning. The Silla Indians still here.

Expenses \$2.62½.

John Ward

6.

Santa Fe Thursday Jan^y 20th 1853

The Silla Indians all went off this morning highly pleased with their new Tata, and their reception.

Expenses \$1.62½.

John Ward

Friday Jan^y 21st 1853

No Indians here to day—no news.

John Ward

Saturday Jan^y 22d 1853

No Indians here today—all quiet.

John Ward

Sunday Jan^y 23d 1853

The mail from Independence arrived this forenoon—No Indians present.

John Ward

Monday Jan^y 24th 1853

No Indians here today—nothing new.

John Ward

7.

Santa Fe Tuesday Jan^y 25th 1853

Thirty one Navajo Indians came in today—Aguila Negra and Miguelito, Chiefs—also one from Jemez and another from San Juan—the object of this visit was to see the Governor (new) and to learn what advices he had to give them—had to feed and lodge them all and their animals.

John Ward

Wednesday Jan^y 26th 1853

All the Navajoes still here—the San Juan Ind. went off this morn-

74. Of Santa Fé, one of the physicians in attendance upon Governor Calhoun.

ing—during the forenoon six Jicarilla Apaches came in, making in all 38 Indians to feed and 44 animals—in the evening the Gov^r had a long council with them all, and they all appear to be highly pleased with the advices given to them—they promised to behave themselves hereafter and also use all their influence in making all their people do the same.

John Ward

Thursday Jan^y 27th 1853

The Navajoes and Jicarillas all went off this morning after breakfast to their respective homes, highly pleased with their reception, and the presents which their new Tata made them, such as hoes, hatchets, sickles, axes, &c.

John Ward

Friday Jan^y 28th 1853

Several Pueblo Indians here today but on no particular business—all went off again in the afternoon—hired a Mexican to go to Galesteo after the animals belonging to the Dep^t which are kept out there grassing.

John Ward

Santa Fe Saturday Jan^y 29 1853

Agent Steck arrived this morning from Abiquin—he has been absent about six weeks, during which time he has been to Antonchico, Vegas, Mora, Taos and several other places—during his trip he has seen several Mescaleros, Jicarilla Apaches, and Utahs, and reports them doing well and behaving the same—he had to make them all some presents such as corn, tobacco, &c.

The Mexican with the animals from Galesteo came in this afternoon, 11 in number—they have been out there 1 month, and 18 days—No Indians here today.

John Ward

Sunday Jan^y 30th 1853

The Sup^t sent word today to Tesuque for Jose. M. Vigil and the rest of the Delegation, which went into the States with Gov. Calhoun in order to give them the mares which they brought from the States with them.

John Ward

Monday Jan^y 31st 1853

The Sup^t this morning turned over the 4 B. mares to the Tesuque Delegation,⁷⁵ as follows, Juan A. Vigil the gray, to Jose D. Herrera the

75. The names as they appear in *The National Intelligencer*, September 7, 1852, were, Jose Marie Vigil, J. Yuazo, Carlos Vigil, Juan Antonio Vigil, Jose Abeyta, Jose Domingo Herrera.

bay, to Jose Abeita the sorrel, to Carlos Vigil the dark chestnut, and to Jose M. Vigil his choice of the 2 mares which were left at Council Grove, when they shall be received at this place. An Indian from Jemez came in this afternoon in search of a mule which he said Aguila Negra had lost whilst on his way from here.

John Ward

9.

Santa Fe Tuesday February 1st 1853

The Mail for Independence left this morning. No Indians here today.

John Ward

Wednesday Feb^y 2d 1853

Chacon⁷⁶ with 37 other Jicarilla Apaches came in this afternoon, also 2 other Indians from Santa Clara, in all 40 Indians, with 12 animals—had to feed and lodge them all—the object of this visit is to see their new Tata and have a talk with him.

John Ward

Thursday Feb^y 3d 1853

The Sup^t had a long council with the Indians this morning—after breakfast they all went off highly pleased with their reception and the presents made to them.

The Governor in company with Judge Baker⁷⁷ left this forenoon on a trip to the Placeres (gold mines).⁷⁸

John Ward

Friday Feb^y 4th 1853⁷⁹

The Gov. of Santa Clara with five other Indians from the same Pueblo came in to see the Sup^t on business, but in consequence of his being absent they all went off in the afternoon.

John Ward

76. Chacon was the head chief of the Jicarillas. Some time before this he was reported as strongly recommending his people to settle down as agriculturalists (Greiner to Lea, April 30, 1852, *Calhoun Correspondence*, p. 530) and very recently he had divulged to Greiner the Indian side of the truth about the massacre of the White party at the "Waggon Mound" in 1850 (*Calhoun Correspondence*, pp. 206 *et seq.*) According to Chacon there had been the usual provocation on the part of the whites—not the ones murdered—and the usual Indian revenge. Bad white men had attacked a party of Chacon's men who had gone to Las Vegas to make peace. The Indians retaliated upon the first whites that came their way (*National Intelligencer*, January 25, 1853).

77. Judge Grafton Baker.

78. Doubtless the same described by Bartlett (*Personal Narrative*, vol. i, p. 275), which "the frequent inroads of the Apaches had caused" "to be abandoned."

79. This is the last entry of the Lane journal already printed.

Saturday Feb^y 5th 1853

No Indians here today.

John Ward

10.

Santa Fe Sunday Feb^y 6th 1853

Two Indians from Jemez came in this afternoon bringing with them a letter for the Supt.

John Ward

Monday Feb^y 7th 1853

The Gov. got back this forenoon, from his trip, The Jemez Indians went off this forenoon—the Gov. made them present with a plow for the benefit of their Pueblo.

John Ward

Tuesday Feb^y 8th 1853

The following gentlemen were appointed today by the Gov. and Mr. D. V. Whiting, as appraisers, Jas. J. Webb, Jas. E. Sabine, and Preston Beck jr, in order to make a valuation of the public property brought out by Mr. D. V. Whiting with the Tesuque Indians Delegation—a proper list of the articles, and value of the same, was made and filed in this office.

Bicente Velarde, a Mexican from Abiquin, made an application, to the Supt, for a pass, in order to travel through the Indian Country on his way to California—the pass was granted to him agreeable with the laws of the U. S. and the regulations of the Ind. Dep^t.

John Ward

Wednesday Feb^y 9th 1853

No Indians here today—nothing much done in the way of Ind. Affs.

John Ward

11.

Santa Fe Thursday Feb^y 10th 1853

The Gov. purchased from Mr. Samuel Ellison four mules for the use of the Ind. Dep^t for which he paid 250 dollars.

No Indians here today.

John Ward

Friday Feb^y 11th 1853

Three more mules were purchased today, two from Mr Owens, and one from Mr. Mitchel—cost, 165 dollars the three.

No Indians here today.

John Ward

Saturday Feb^y 12th 1853

The Gov. of San Felipe with 6 other Indians from the same Pueblo came in today to see the Sup^t in relation, to some of their land which their Mexican neighbors wanted to make use of, against their will.

Two San Ildefonso Indians, also, came today to see the Sup^t on business.

John Ward

Sunday Feb^y 13th 1853

The San Felipe and San Ildefonso Indians all went off this morning after breakfast, highly pleased with the new Gov^r and the presents made to them, such as spades, plow, and &c,

The Gov. ordered Agent Steck to go down to their Pueblo (San Felipe) and in company with Agent Baird to investigate and settle the matter.

Agent Steck, in accordance with the above orders, left this afternoon.

John Ward

12.

Santa Fe Monday Feb^y 14th 1853

Several Indians here today but on no particular business, only that of begging, as usual.

John Ward

Tuesday Feb^y 15th 1853

No Indians here today—nothing much done in the way of Ind. Aff^s.

John Ward

Wednesday Feb^y 16th 1853

Agent Steck returned this afternoon from San Felipe—he reports having settled the land question between the Mexicans and Pueblo Indians.

John Ward

Thursday Feb^y 17th 1853

Two Jicarilla Apaches came in today to see the Sup^t on business.

John Ward

Friday Feb^y 18th 1853

The two Apaches still here—during the forenoon two San Domingo Indians came in to see the Sup^t on land business, the Mexicans being the cause of this trouble as usual.

John Ward

13.

Santa Fe Saturday Feb^y 19th 1853

The Jicarillas and San Domingo Indians went off after breakfast. Dr. Connly's⁸⁰ two eight mule teams, intended to freight out the goods to the Southern Apaches, arrived this forenoon—a portion of the goods are "(at this place) on hand" and the balance are to be taken from Paralta—Ward is to go in charge of the teams, goods, and the escort, intended for the trip to the Southern Apaches.

John Ward

Sunday Feb^y 20th 1853

Two Taos Indians came in this morning after a plow, which they said the Sup^t had promised them, during his visit to their Pueblo—the plow was given to them and they left for their homes in the afternoon.

John Ward

Monday Feb^y 21st 1853

Ward left this morning with the teams, goods, provisions, and escort—he is to go as far as Paralta and there to wait the arrival of the Governor.

The Gov^r will leave this place (Santa Fe) on the 28th inst—Mr. Greiner will attend to the Indian matters during the absence of the Gov^r and Ward.⁸¹

14.

Santa Fe April 27th 1853

The Gov^r and party arrived this afternoon about 4 o'clock from his trip to the Rio Gila.

John Ward

Santa Fe Thursday April 28th

No Indians here today—nothing much done in the way of Ind. Aff^s.

John Ward

Santa Fe Friday April 29th

Two Indians here from Nambe, complaining of the authorities of the Pueblo of Pojuaque, in relation to a marriage—the Gov. told them to go back to their Pueblo and obey the orders of their Gov. and head men, as he would not interfere with their customs or laws.

John Ward

80. Presumably, Dr. Henry Connelly, for an account of whom, see H. H. Bancroft, *History of Arizona and New Mexico*, p. 448.

81. Since John Greiner's signature as *Secretary of the Territory* was attached to Governor Lane's proclamation of March 13, 1853, it seems safe to assume that it was prepared before Lane left Santa Fé.

Santa Fe April 30th 1853

Francisco Archuleta from San Juan came in this morning to see the Supt and to get a pass to go out and trade with the Utahs, but, in consequence of the mail being about to leave for the States, his pass was not granted, but he was told to come back for it on Monday next. No other Ind. here today.

John Ward

15.

Santa Fe Sunday May 1st 1853

The Gov. of Pojuaque with five other Indians of the same Pueblo came in to see the Supt in relation to one of their young men who had married a girl from the Pueblo of Nambe, and the parents of the young man wanted him to live at Pojuaque, his native home, but the girl's parents wanted him to live at Nambe according to the promise he made the girl and her parents previous to the marriage.

But the Gov. of the Pueblo said that the young man had made that promise without the knowledge of his father or the authorities of the Pueblo and consequently they were not willing that the young man should live at Nambe.

The Supt stated to them that he had other business of much importance to attend to and, as he did not wish to interfere with their old rules and customs, he would leave the matter for them to settle according to their laws and regulations.

John Ward

Monday May 2d 1853

The San Juan Ind. came in today after the pass promised to Archuleta on Saturday last—the pass was granted—no other Indians here today. Last night one of the mules belonging to the Ind. Dept took sick and died—proper certificates have been taken.

John Ward

Tuesday May 3d 1853

An Express came up from Limitar—it was sent by Judge Watts with information about the arrival of Trias⁸² at la Mesilla with one thousand men, and other communications for the Gov.—several Pueblo Indians here today—some on business and others begging as usual.

John Ward

82. Governor of Chihuahua. See above, pp. 209-210. Judge Conkling was reported to have given the Mexican authorities assurances that the United States would disclaim Governor Lane's acts (*National Intelligencer*, May 5, 1853). Nevertheless, troops were collected by Governor Trias to oppose the occupation of the valley of Mesilla (*ibid.*, May 31, 1853). It was surmised, in Louisiana, when General Robert B. Campbell was appointed to supersede Bartlett as commissioner for running the boundary line, that he "was not empowered to touch that part which has been the occasion of the late action on the part of Gov. Lane . . ." (*ibid.*, May 19, 1853).

Wednesday May 4th 1853

No Indians here this day—nothing much done in the way of Ind. Affs.

John Ward

Thursday May 5th 1853

Several Indians here—some from Nambe, and Pojuaque—great excitement prevails in town in consequence of the Express which passed through here last night towards Taos in search of Col. Sumner.

John Ward

Friday May 6th 1853

A communication was received last evening from Mr. Rudolph of La Canada in which he states that the Navajos had killed a Mexican and one of his sons and had taken two Mexican boys captives (the Mexican's name was Ramon Martin) the Indians had also run off all of Martin's stock—the Gov. upon receiving the above information sent a letter to Agent Baird stating all the facts of the case and requesting that he should take all necessary means to recover the captives and stock and to have the criminals seized, if possible, and have them brought to account.

The Alcalde of Chamas (where the murder was committed) came to see the Gov. and he stated that the murder was committed about 4 leagues from his residence (Chamas, Rio Arriba County) and that he was not positive as to what Indians committed the crime but that suspicion rested on the Navajos—the Gov. also sent a letter to Agent Steck on the subject—Mr. Greiner arrived from Taos—he reports every thing quiet and the Taos Pueblos all well.

John Ward

Saturday May 7th 1853

The Gov. sent Mr. Greiner to investigate the murder of Mr. Ramon and his son.

The Gov. of Santo Domingo with two other Indians came in to see the Supt, complaining of the citizens of Peña blanca, Cubero, and Shili, about letting their stock loose upon the fields of their Pueblo—the Supt sent a letter to the Prefect of that county requesting that the stock should be kept out of the Indian lands.

John Ward

Sunday May 8th 1853

No Indians here today—nothing much done in the way of Ind. Affs.

John Ward

Monday May 9th 1853

The Gov. employed Mr Vigil in order to investigate the robberies and other outrages committed by the Navajoes—the Gov. has also

given him instructions in case he should meet with either Agent Baird or Steck to turn over all the documents to them so as not to interfere with the Agents, but should the Agents need his services to go with them and render them all possible aid in their investigation—Mr. Ellison is to go with Mr Vigil—they leave this afternoon towards Pena blanca.

Three Santa Clara Indians here today—all went off again in the afternoon.

John Ward

18.

Tuesday May 10th 1853

The Gov. furnished Mr. Ellison with one public horse, saddle, bridle, 2 double B. guns one yaager, one pistol, pouches &c, for the trip—No Ind. here today.

John Ward

Wednesday May 11th 1853

Four Cochiti Indians here today on their way to Barclay's Fort in search of stolen animals—they requested the Gov. to give them a letter for the authorities of that county to assist them in recovering their animals should they be found in that neighborhood—the Gov. gave them the letter for the Alcalde.

John Ward

Thursday May 12th 1853

The Cochiti Indians all left after breakfast this morning, the mail from El Paso arrived this afternoon at 3 oclock—the Gov. received Agent Wingfield's quarterly accounts and also letters giving account of the progress of the Indians at his agency.

John Ward

Friday May 13th 1853

Four San Ildefonso Indians here this afternoon to see the Gov. on some business.

John Ward

19.

Santa Fe Saturday May 14th 1853

The San Ildefonso Indians complained that their Mexican neighbors would not keep their stock out of the Pueblo lands—the Gov sent word to the Alcalde of that county to keep the stock out of the Indian lands.

Mr. Overman came to request the Gov. to extend the license granted to him by Agent Baird—the Gov. did so—the Ind^s all left after breakfast.

John Ward

Sunday May 15th 1853

The Gov. received letters from Agents Steck and Wingfield. Agent Steck reports the Jicarillas (Chacon's Band) doing well and behaving the same—he also reports his having been out to the Utah country in order to find out the murderers of Don Ramon Martin.

Carlos from Tesuque came in to see the Sup^t about an ox which he said he had lost some two years ago and it was now in the possession of a Cochiti Indian—the Sup^t told him that all such matters must be settled by the authorities of the Pueblos.

John Ward

Monday May 16th 1853

No Indians here today—Several Mexicans here with land titles &—they were all sent to the proper authorities.

John Ward

20.

Santa Fe Tuesday May 17th 1853

Three Cochiti Indians here today in search of a mule which they said some Mexicans had stolen.

John Ward

Wednesday May 18th 1853

Mr. Conkling from Jemez brought a letter to the Gov. from Mr. Vigil in which he states that he had learned from the Jemez Indians that the murderers of Ramon Martin are Navajoes and that they are well known by the Jemez Indians—Mr. Vigil was to leave for the Navajo country—he will take an escort of 11 Pueblo Indians.

Agent Steck arrived this afternoon from Jemez—he reports Mr. Vigil having left that place for the Navajoes, two days previous to his arrival—he also gives a very favorable account of his Jicarilla family.

John Ward

Thursday May 19th 1853

Mr. Manuel Chaves made a complaint against the Mescaleros who, as he said, had stolen from his Rancho near Anton Chico 3 mules, 2 mares, and 2 horses—the Gov. told him that he would do everything in his power to recover the stolen property.

John Ward

Friday May 20th 1853

One of the men employed at Agent Steck's camp came in this morning and reports that the Jicarillas are much alarmed in consequence of the Navajoes being near their neighborhood.

John Ward

21.

Saturday May 21st 1853

Agent Steck left this morning for his Jicarilla camp—the following articles were turned over to him, one rifle, 4 guns, 2 yaugers, 6 powder horns, and 6 pouches, all public property of the Ind. Dept. No Indians here today.

John Ward

Sunday May 22d 1853

The mail from Independence arrived this afternoon. Mr. Messervey,⁸³ the new Secretary, came in with it—No Indians here today,

John Ward

Monday May 23d 1853

No Indians here today,

John Ward

Tuesday May 24th 1853

Mr. Vigil, Special Agent, came in this forenoon from the Navajo country—he brought with him the two boys which the Navajoes made captives at the time that they killed Ramon Martin—one of the boys is the son of Martin, and the other is first cousin—their names are Librado Martin and Claudio Martin.

The Gov. upon their arrival had them well fed, and furnished them with clothing which they stood in great need of—Justo and nine other Indians from the Pueblo of Jemez came in this afternoon together with Aguila Negra and 6 other Navajoes.

John Ward

22.

Santa Fe Wednesday May 25th 1853

The Gov. had the two Captives sent home this morning in charge of Francisco Tapia—he also sent a letter to the Alcalde so that he should deliver them over to their parents—the boys went off highly pleased with the clothes and presents given to them.

Agent Steck came back from his camp and he reports the Jicarillas much alarmed owing to some mischievous Mexicans who have been telling the Ind^s that the smallpox was killing a great many people in the Rio Arriba country, but he thinks the object of the Mexicans is to make the Indians run off and leave the land which they have now under cultivation for their special benefit.

The Gov. had a long talk with Aguila Negra and the other Navajoes in regard to the murder of Ramon Martin—Aguila Negra stated

83. William S. Messervy.

that he would do all in his power to have the murderers arrested, but he thought that war would be the result (among themselves).

John Ward

Thursday May 26th 1853

The Navajoes and Jemez Indians all went off after breakfast this morning highly pleased with their reception and presents made to them—previous to their leaving the Gov. made them understand that the murderers and the stock, stolen by the Navajoes, had to be given up, otherwise he would declare war against them, but they all promise to do everything in their power to have them delivered over to the proper authorities—they left one mule in the care of the Gov. which they said belonged to Martin.

John Ward

23.

Santa Fe Friday May 27th 1853

A Jicarillas Apache from Agent Steck's camp came in this morning and he reports all his people doing well and in good health.

An Indian from Taos also here today going towards San Miguel in search of a gun which he said a Mexican had stolen from his brother some two years since—he wanted the Gov. to give him a letter to the Alcalde of that county so as to aid him in recovering his property—the Gov. sent a letter to the Alcalde on the subject.

John Ward

Saturday May 28th 1853

No Indians here today.

John Ward

Sunday May 29th 1853

Mr. Duvall, Suttler at Fort Webster, arrived here this morning—he reports the Indians in the neighborhood of the Fort all well and behaving the same—he also states that Mangas Coloradas has applied for permission to come in with the rest of his people and cultivate the soil—Mangas also reported at the Fort that a large number of Mexican troops were attacking his people within the limits of the disputed Territory—the mule left at La Sienea by Mr. Vigil, (supposed to belong to R. Martin) was turned over to the Sup^t today.

John Ward

24.

Santa Fe Monday May 30th 1853

Several Pueblo Indians here today—all went off again in the afternoon.

John Ward

Tuesday May 31st 1853

Josécito with 7 others, Mescalero Indians, came in today to see the Tata—he reported all his people well—he also stated that what few crops they have are doing well.

John Ward

Wednesday June 1st 1853

The mail for Independence left this morning—Mr Greiner, the late Secretary, leaves with it.⁸⁴

The Gov. had a long talk with Josécito and those who came with him—Josécito stated that last year, when himself with the rest of the chiefs of his Band came in to make peace, the Military commandant had promised them to establish a Fort out in their country, but as yet nothing of the kind had been done and, as himself as well as the rest of the chiefs all wish to be on good terms with the whites, he thinks that promise should be fulfilled by the Military, so that the bad people which they have among them could be made to respect the treaty, and for the reason that their power over their bad men is not sufficient to make them behave as they should, but nevertheless he promised to do all in his power to make them respect the Treaty.

The Gov made him a present of a silver medal, some hoes, spades, hatchets, &c.

Col. Sumner and the Gov. had a consultation in reference to the murder of Ramon Martin by the Navajoes.

25.

Santa Fe Wednesday June 1st 1853

At a conference had between H. E. the Gov. of N. M., Wm. Carr Lane, and the comd^s officer of the 9th Mil. Dept. in N. M., Col. Sumner, to take into consideration the steps most advisable to be followed, in relation to the delivery of the murderers of Don. Ramon Martin, (five Navajo Ind^s) it was agreed upon, after a due and just consideration of the subject, that the terms of the agreement, made by the Gov. with the Navajo chief, Aguila Negra, should be carried into execution:

84. For the return of Greiner to his home in Columbus after settling his accounts at the Indian Office in Washington, where George W. Manypenny was now in charge, see *Journal of American History*, vol. iii, p. 554. Manypenny, it will be recalled, was the Indian commissioner who, in the winter of 1853-1854, negotiated treaties of cession with the tribes of Kansas (Abel, A. H., "The Extinguishment of Indian Titles in Kansas," *Kansas State Historical Society Collections*, vol. viii) in order to remove the chief obstruction to the organization of the contemplated territories of Nebraska and Kansas, another phase of the railroad project (See Hodder, F. H., "Genesis of the Kansas-Nebraska Bill," *Wisconsin Historical Society Proceedings*, 1912, pp. 69-86; "Propaganda as a Source of American History," *Mississippi Valley Historical Review*, June, 1922, vol. ix, pp. 1-17. Manypenny became, several years subsequently, the author of *Our Indian Wards*, one of the severest indictments of the United States Indian policy that has ever issued from the press.

i. e: that should the chief or chiefs fail to deliver, the murderers of said Martin, at the time specified and agreed to by the Gov. with said chief Aguila Negra, and feeling confident that the delivery of said murderers is within the power of said chief or chiefs who are now at peace with us, and that the failure to deliver them may and ought to be construed as a connivance on the part of said chiefs, which must therefore be considered as an act accessory after the fact, it is therefore decided, by the above Gov. and Sup^t of Ind. Affs. and by the Comd^s Officer, Col Sumner, to force and cause the delivery of said murderers, by immediately after the time is up which said chiefs had to deliver said murderers, beginning hostilities against the whole of the Navajo tribe, by either laying waste their country, taking hostages, or destroying the whole race.

In the interview, the Gov. had with Col. Sumner, he stated to him that he (the Gov.) had done his duty in giving him all the information he could collect in relation to the case and in placing all the reports of the Special Agents, sent to investigate the matter, before him, so that he might act as he might think most advisable in the matter, that he had discharged his duties as Sup^t of Ind. Affs., that as to the steps to be taken and in what manner to begin hostilities against the Indians, he could not say anything, leaving that entirely to the discretion of the comd^s officer in N. M. He only requested and urged, that the rights of property should be defended, and the protection [which] the Mil. were sent here to afford and give the citizens of N. M. should be granted—the Gov. also stated to Col. Sumner that, should he desire the aid of the Militia of the Territory, he could have it and, should he not begin hostilities to cause the delivery of said murderers, he would do it himself.

Col Sumner expressed an unwillingness and questioned the propriety of holding the whole Navajo tribe responsible for the act of five marauding and ungovernable Indians, saying that to his mind it seemed an unjust and almost unjustifiable undertaking—were he convinced, said the Col., of the propriety and justice of the matter to hold the whole tribe responsible for the act of the said Indians he would immediately begin hostilities. But the Gov. urged on him the protection of property and the necessity of compelling them to deliver the murderers as demanded, they having acknowledged their guilt, and the perpetrators of the murder being personally known—a difference of opinion was expressed between the Gov. and Col. Sumner at the measures most advisable, and the most proper mode of warfare and hostilities to be carried on against the Indians, Col. Sumner saying that all he could possibly do, was to lay waste their country by destroying the crops and taking their herds, expressing at the same time, that it was impossible to catch the Navajoes on their fleet horses. The Gov.

differed and told him that in his opinion the Indians could be caught, if the proper and willing measures would be followed. He could not see any difficulty in following the Indians and catching them go where they might.

27.

Santa Fe Thursday June 2d 1853

Josesito with the other Mescaleros went off this morning after breakfast highly pleased with their reception and the presents given to them—several Pueblo Indians here today—one of them from San Felipe made a complaint against a Mexican who he said had taken one of his peons away from him. The Gov. told him that all such matters must be settled by the Gov. of the Pueblo.

John Ward

Friday June 3d 1853

The Gov. has ordered Agent Steck to give up his post among the Utahs and Jicarillas, in order that he might get ready to proceed to the Agency at Fort Webster and take charge of it. The Gov., with the advice and consent of Agent Steck, has appointed Mr. Lafayette Head⁸⁵ as Special Agent for the Utahs and Jicarillas, the latter having about 150 acres of land under cultivation &c.

Mr. Jose Perea having proved the 2 mules left by the Navajoes to be his property and which he said the Navajoes stole from him this year, they were turned over to him, and receipt taken.

John Ward

Saturday June 4th 1853

No Indians here today.

John Ward

28.

Santa Fe Sunday June 5th 1853

No Indians here today.

John Ward

Monday June 6th 1853

Matias Baca, a Mexican, made an application for a pass to go to the Comanches and take to them some animals which they had lost some months since, and through that means to try and recover some of his animals which the Comanches had stolen from him during his

85. Coes says that Lafayette Head was "the oldest American settler on the Conejos" (*Pike*, vol. ii, p. 495, note 43). In December 1853, Head served in the lower house of the territorial legislature from Rio Arriba county; in the 6th, 7th, and 8th assemblies (1856-7-8), he represented Taos county in the council, the last time being elected president of that body.

trading trip among them—the pass was granted to him. No Indians here today.

John Ward

Tuesday June 7th 1853

Great rumours in town today about the Navajoes having killed Mr. Shaw (a preacher) and Mr. H. L. Dodge (merchant) whilst on their way to Fort Defiance, in the Navajo country, but no communication, either official or private, has been received at this office on the subject, therefore no confidence is placed in the rumours—it is also reported that the Navajoes are about to form a league with the Utahs, and that they are now in council in the neighbourhood of Abiquin. No Indians here today.

John Ward

Wednesday June 8th 1853

No Indians here today—nothing much done in the way of Ind. Aff^s.

John Ward

29.

Santa Fe Thursday June 9th 1853

Several Indians here today. Lieut. Beal^{85a}, Sup^t of Ind. Aff^s in California, arrived here last evening on his way to California—he left this afternoon towards Taos to join his party.

John Ward

Friday June 10th 1853

Three Santa Clara Indians here today to inform the Sup^t that the people who left their Pueblo last week, in consequence of their not wishing to obey the authorities of their Pueblo, have all come back and have promised to behave themselves for the future—they have been admitted and their property returned to them.

John Ward

Saturday June 11th 1853

The Santa Clara Indians all went off this morning after breakfast. An Indian from the pueblo of Jemez came in complaining about the Prefect of their county (Santa Ana) about a road which the Prefect is about to make through their fields, in preference to repairing the old road.

The Gov. sent a letter to the Prefect on the subject.

John Ward

85a. Edward F. Beale, formerly of the navy, best known as an advocate of camel transportation in the West.

30.

Santa Fe Sunday June 12th 1853

The Gov. sent a letter to Agent Baird requesting him to proceed to the Navajo country and to cooperate with the commanding officer at Fort Defiance in arresting the murderers of R. Martin and have them brought to justice—the Jemez Indian went off this morning.

John Ward

Monday June 13th 1853

No Indians here today—all quiet.

John Ward

Tuesday June 14th 1853

The Mail from Texas arrived this forenoon. The Gov. received a letter from Fort Webster by which we learn that the Apaches (Gila) have been down in to Sonora on a campaign and that they have brought in to the Fort 4 captives, two girls and two boys. Maj. Steen, comm^g at the Fort, has notified Genl. Trias of the facts in order that he may dispose of the captives as he may think proper—it appears that the Apaches have got the better of the Mexicans this time. No Indians here today.

John Ward

Wednesday June 15th 1853

Mr. Diego Baca, a Mexican from Peña Blanca, made an application for a license to trade with the Coyoteros (Apaches) for three months—the license was granted. No Indians here today.

John Ward

31.

Santa Fe Thursday June 16th 1853

No Indians here today—all quiet.

John Ward

Friday June 17th 1853

Several Pueblos here today with no other business than that of begging—they were all put off.

John Ward

Saturday June 18th 1853

By the arrival of Mr. Webb from the Rio Abajo we learned that Mr. Shaw and Capt. Dodge are not killed as reported—so much for rumours,

John Ward

Sunday June 19th 1853

Two San Juan pueblos came in to see the Supt^t on business, and to return the pass which was granted to them some time since to trade with the Comanches—they report the Comanches well and behaving the same—they met them on the Colorado.

John Ward

Monday June 20th 1853

The San Juan Indians went off after breakfast this morning.

An Indian from Santa Clara came in to see the Supt^t on business concerning his pueblo.

John Ward

32.

Santa Fe Tuesday June 21st 1853

Cap^t Ewell, U. S. A., and Mr. Dodge arrived here this morning from the Navajo country and they report that the Navajoes have promised to deliver up the murderers of Don. R. Martin, and also to give up the stolen sheep and other property which may have been stolen of late by their people—No Indians here this day.

John Ward

Wednesday June 22d 1853

Agent Steck arrived here this afternoon from Taos—he reports the Utahs all quiet, and the Jicarillas doing well and their Rancho looking as fine as any in the country—they have about 150 acres under cultivation—so much for Gov. Lane. No Indians here today.

John Ward

Thursday June 23d 1853

Several pueblos here today, begging as usual—all sent off.

John Ward

Friday June 24th 1853

No Indians here today—nothing much done in the way of Ind. Aff^s.

John Ward

Saturday June 25th 1853

No Indians here today—all quiet.

John Ward

33.

Santa Fe June 26th 1853

The mail from Independence arrived this morning and by the news brought by it we learned that Mr. Merywether⁸⁶ is the new Gov. and

86. David Wood Meriwether of Kentucky, a Virginian born, had been appointed to fill the vacancy in the United States senate caused by the death of Henry Clay,

also that Cap^t Dodge has been appointed Ind. Agent in place of S. M. Baird and that Jas. M. Smith is coming out also, as Ind. Agent, in place of Wingfield.

Col. Sumner left here this morning on his way to the States—several pueblos here today.

John Ward

Monday June 27th 1853

Several Indian pueblos here today but having no business with the office they were all put off.

John Ward

Tuesday June 28th 1853

No Indians here today—all quiet.

John Ward

Wednesday June 29th 1853

No Indians here this day—nothing much done in the way of Ind. Aff^s.

John Ward

Thursday June 30th 1853

Agent Dodge left this morning—he is to relieve Agent Baird, and then proceed to the Navajo country—the Gov. gave him written instructions—Mr. Keithly, also left this morning towards Jemez. No Indians here today.

John Ward

34.

Santa Fe Friday July 1st 1853

Mr. Head, Special Agent, came in from Abiquin—he reports the Jicarillas all well and behaving the same and their fields doing very well. No Indians present.

John Ward

Saturday July 2d 1853

No Indians here today.

John Ward

Sunday July 3d 1853

Several pueblos here today begging—all put off.

John Ward

June 29, 1852, "serving from July 6, 1852, until September 1, 1852." (*Biog. Congressional Directory, 1774-1903*, p. 691.) He officiated as governor of New Mexico from May 6, 1853 to January 5, 1855 (*Ibid.*). For further details of him and his family, see Minor, L. A. H., *The Meriwethers and Their Connections*, p. 118.

Monday July 4th 1853

An Indian here from Acoma—he reports all his people doing well—had no particular business.

John Ward

Tuesday July 5th 1853

Three Nambe Indians here this morning—all went off again in the afternoon.

John Ward

Wednesday July 6th 1853

Several Pueblo Indians here, but having no business with the office, they were all put off.

John Ward

35.

Santa Fe Thursday July 7th 1853

Three San Felipe Indians came in to see the Sup^t about some land situated below the Town of Algodones on the Rio Grande, which they say belongs to them, but the Santa Ana Indians are trying to lay a claim to it—the Gov. told them that Agent Steck, would attend to the matter and for both parties to be on the ground by day after tomorrow with their documents, so as to have the matter settled by the Agent who is to be there on that day. Four Santa Ana Indians also here complaining about their Mexican neighbours letting their stock run loose on their fields (the Pueblos). The Gov. sent a letter to the Prefect of Santa Ana county requesting him to investigate the matter and have the stock of the Mexicans kept out of the Indians' land,—Also an Indian from San Juan entered a complaint against a Mexican, about some land which the Mexican claims, and as the Indian says belongs to him.—The Gov. told him that he would send up an Agent as soon as possible and have the matter settled or if possible he would go up himself and settle it.

John Ward

Friday July 8th 1853

The Santa Ana and San Juan Indians all went off this morning. Agent Steck left this afternoon towards the Agency at Fort Webster—he is to relieve Agent Wingfield at that Agency. the Gov. requested of him to investigate, and to settle if possible the troubles between the San Felipe and Santa Ana Indians in regard to the land situated below Algodones on his way through that place.

John Ward

Saturday July 9th 1853

No Indians here today—all quiet.

John Ward

Sunday July 10th 1853

Jose Maria from Tesuque came in to see the Gov.—he reports all his people well—the Gov. made arrangements with him to take out Juana (the captive woman) to his pueblo to live with them—Jose Maria stated that he would report to the Gov. and head men of the pueblo, and he would then send after her.

John Ward

Monday July 11th 1853

Jesus Maria Herrera, a Mexican, reported that the Utahs have stolen three horses, one mule and one cow from a Rancho situated at the Rito Colorado Rio Arriba county, the property belongs to his uncle—he also states that the thieves were pursued as far as the Rio de las Animas in the Navajo country, but they could not be caught—the Gov. told him that he would do everything in his power to have the property recovered.

An Express was sent off to overtake Agent Steck with some letters—he was furnished with one public mule, one saddle, bridle, gun, &c.

John Ward

37.

Santa Fe Tuesday July 12th 1853

Jose Antonio Lobato, a Mexican, came in to see the Supt and inform him that he had learned from good authority that his son (Rafael Lobato who was taken captive by the Navajoes in 1850) is now in the service of Polinario Santa Ana at Las Candelarias near the Ranchos of Albuquerque and he wanted to know if he could go down and demand his child,

The Gov. told him that he could go and demand his child wherever he finds it. The Gov. also gave him a letter to the Prefect of the county requesting him to assist Lobato in recovering his child. No Indians here today.

John Ward

Wednesday July 13th 1853

William Ivers, and Jas. Robertson made an application for a license to trade with the Gila Apaches for three months—the license was granted.

Special Agent Head came in today—he reports the Indians in that part (Abiquin) of the country all quiet, and Chacon's Band doing very well—several pueblos here—all went off again in the afternoon.

John Ward

Thursday July 14th 1853

Carlos from Tesuque came in to see the Supt and to take Juana (the captive) to his pueblo, to live—the Gov. had the captive delivered to him with the understanding that she was to be well taken care of.

John Ward

38.

Santa Fe Friday July 15th 1853

Messrs. Simon Delgado and J. Jenneret were appointed by order of the Gov. appraisers, for the property which is to be sold tomorrow belonging to the Ind. Dep^t—they valued the animals as follows:

the Horse at \$60,

" 2 white mules at \$100. and the rest of the mules, six in number, at \$45 each,

Several pueblos here today begging as usual—all sent off.

John Ward

Saturday July 16th 1853

The Public sale came off this morning at 10 O'clock, viz:

The 2 white mules @	\$119.00	To Geo. W. Wethered
one black " "	50.00	" Owens
one " " "	51.00	" McCutchen
four " " "	192.00	" Dr. Nangle
seven sets harness	49.00	" " "
one jackscrew	1.25	" " "
" lead chain	8.00	" " "
" whip	1.00	" " "
six headstalls	4.50	" Owens
one wagon	44.00	" Speigelberg
brush & currycomb	1.56 ½	" J. Jennerett
monkey wrench	1.75	" " " "

No Indians here today.

John Ward

Sunday July 17th 1853

Mr. Ellison arrived this evening from the Rio Abajo—he has been down as far as Socorro—he reports having left Agent Steck sick at that place. Several pueblos here today but on no particular business.

John Ward

39.

Santa Fe Monday July 18th 1853

Mr. Fitzwater, U. S. Forage Master, who had lately arrived from old Mexico reports the Comanches, and Apache Indians committing great depredations, both of lives and property, all through Chihuahua, Durango and other provinces. Mr. F. is on his way to the States—he

also reports that as many as 140 lives were taken at one time by the Indians—No Indians here today.

John Ward

Tuesday July 19th 1853

Jose Antonio Lobato came to inform the Gov. that he had recovered his son (Rafael Lobato) from Polinario Santa Ana—it appears that a Mexican trader had bought him from the Navajoes and sold him to the said Polinario, The Gov. congratulated him for his good luck, and advised the boy to behave himself for the future and become a good man—the Gov. also gave them 10 dollars to get some clothes with for the boy.

The Express that went to overtake Agent Steck returned last evening, bringing with him a letter for the Gov.—few Indians here today.

John Ward

Wednesday July 20th 1853

No Indians here today—nothing much done in the way of Ind. Aff^s.

John Ward

40.

Santa Fe Thursday July 21st 1853

Mr. Vigil came back from San Juan pueblo—he reports that he had settled the land question between the pueblo Indian Atencio, and the Mexican J. C. Atencio to the satisfaction of both parties—No Indians here today.

John Ward

Friday July 22d 1853

No Indians here today.

John Ward

Saturday July 23d 1853

Carlos from Tesuque here today—no other Indians here.

John Ward

Sunday July 24th 1853

The mail from Independence came in this afternoon and the conductor reported that he had passed Gov. Meriwether and Gen^l Garland⁸⁷ at pawny creek—no Indian here today.

John Ward

87. Colonel Sumner was also being superseded (*National Intelligencer*, May 17, 1853). The following indicate the impression that the change in the command of the Ninth Military Department had upon the country:

“. . . Our Executive Government have decided that the disputed territory belongs to us under the treaty . . .

“It is of no use now to go into the merits of the controversy . . .” (Letter from

Monday July 25th 1853

Juan de Jesus Garcia, of Pena Blanca, reported that Juan Padilla, resident of Atrisco, with a party of about thirty men had gone out to trade with the Pima Indians, without the necessary license,

John Ward

The Gov. notified both Agent Dodge and Steck of the facts.

41.

Santa Fe Tuesday July 26th 1853

Wm. Drew, and O. P. Hovey, made an application today for license to trade with the Pimas and Gila Apache Indians—the license was granted.

Several pueblo Indians here today begging as usual.

John Ward

Wednesday July 27th 1853

The Gov. sent two silver medals to Agent Steck, today, taking the receipt of Mr. Messervy for the same,

John Ward

Thursday July 28th 1853

Mr. Valley⁸⁸ of Pecos reported that Huero and two other Jicarilla Apache Indians ran off from his Rancho several of his animals.

John Ward

Friday July 29th 1853

Juan Jose Archuleta of the Pueblo San Juan made an application for a pass, for himself and fifteen other Indians, to trade with the Comanches—the pass was granted.

The Gov. of Santo Domingo, with three other Indians came today to see the Supt on business.

John Ward

88. Here, and in entries below under September 10-11, we have the earliest known references to the Frenchman, Alexander Valle, and his ranch on the upper Pecos river. Because of his broken English, he was nicknamed "Pidgin." His ranch has been metamorphosed into a modern summer resort—but few people realize that its name, "Valley Ranch," originated from this old Frenchman.—Editor.

a correspondent of *The Journal of Commerce*, dated Washington, June 1, 1853, quoted in *National Intelligencer*, June 4, 1853).

". . . What Garland is to do "the writer is wholly unable to say" "but believe it will be found to be the policy of the Administration to abstain from any aggressive movement unless otherwise compelled by a continuance of Mexican interference . . ." (*ibid.*, June 23, 1853).

42.

Santa Fe Saturday July 30th 1853

J. Peters resident of Lariata,⁸⁹ near Pecos, reported that about the same time that the Jicarillas ran off Mr. Valley's animals, they stole two of his animals.

John Ward

Sunday July 31st 1853

Jose Maria from the Pueblo of Tesuque here today and reported that Juana (the Captive), who was sent by the Sup^t to stay at their pueblo, had gone off to the pueblo of Santa Clara—he also stated that Juana is not a Mexican, as supposed, but that she belongs to the (Yumas) Indians.

John Ward

Monday August 1st 1853

The Independence mail left this morning.

Pedro Aragon of Chama, made an application for license to trade with the Comanches for the term of six months—the license was granted.

John Ward

Tuesday Aug. 2d 1853

Several pueblos here today—all went off in the afternoon.

John Ward

43.

Santa Fe Wednesday Aug. 3d 1853

An Express from Fort Union arrived here this morning, and reported that Gov. Meriwether, Gen^l Garland, and party had arrived at that place on Monday the 1st inst.

Also an Express from Abiquin arrived in the afternoon bringing letters from the Prefect, and Special Agent Head, relative to Indian depredations.

John Ward

Thursday Aug. 4th 1853

The Express from Abiquin left this morning taking letters to the Prefect and Special Agent Head.

John Ward

Friday Aug. 5th 1853

Agent E. A. Graves, and Dr. Jacob arrived this morning from the States—they reported that Gov. Meriwether and party will be here next Monday.

John Ward

89. By "Lariata" Ward evidently meant Glorieta, where was fought, nine years later, a decisive battle of the Civil War.—Editor.

Saturday Aug. 6th 1853

The Gov. assigned Agent Graves to the Utah Agency this morning and gave him a letter of instructions.

John Ward

44.

Santa Fe Sunday Aug. 7th 1853

Carlos Vigil of Tesuque made an application for a pass for himself and fifteen other Indians of his pueblo—it was granted.

Gen^l Garland arrived this afternoon and reported that the Gov. would stay at the Arroyo Hondo to night.

Several pueblos here today but having no business with this office they were put off.

John Ward

Monday Aug. 8th 1853

Gov. D. Meriwether, Agent J. M. Smith, Judge J. J. Devenport⁹⁰ and others arrived this morning.

John Ward

Tuesday Aug. 9th 1853

Gov. Lane turned over all business to Gov. D. Meriwether, this morning.

John Ward

JOURNAL OF DAILY TRANSACTIONS AT
THE SUPERINTENDENCY OF INDIAN AFFAIRS

Santa Fe August 8th 1853

Gov. Meriwether entered upon the duties of his office of Superintendent of Indian Affairs this day.

Aug. 10th

Sent a dispatch to the Commissioner of Indian Affairs relative to the condition of the various funds under charge of this Superintendency, (See letter book Page 373.)

Aug. 11th

Agent J. M. Smith reported to the Governor and received his instructions. (see Pages 378-9. letter book.)

Aug. 13th

The Gov. sent a communication to Mr. Alexander Mayors relative to property left at Fort Atkinson, and Council Grove, belonging to the Indians, returning from Washington city, under charge of Mr. Whiting, (see letter book Page 381.)

90. J. J. Davenport, newly appointed judge of the first district, and thereby chief justice of the territory.—Editor.

The Gov. sent to Agent C. A. Graves his instructions (see letter book, Page 382.)

The Gov. sent additional instructions to Agent Smith relative to the number of labourers employed at his Agency, and five Mexican prisoners, (see letter book page 384)

Aug. 16th

The Gov. received communication from Lt. Ransom and Mr. E. N. Depew, and sent a messenger to overtake Agent Graves with instructions to hasten to Taos. (see letterbook page 389.)

Aug. 16th

The Gov. sent a communication to the Commissioner of Indian Affairs in relation to Indian Affairs in this Territory, (see Letter Book page 385)

Santa Fe N. M. August 28th

The Gov. received two communications from Agent Graves relative to the conduct of the Utah Indians, (see Letter Book pages 391 and 395)

Aug 29th

The Gov. enclosed to Gen^l Garland copies of Agent Graves' reports relative to the Utah Indians (see Letter Book Page 397)

Aug. 31st

The Gov. sent his Indian Report to the Commissioner of Indian Affairs together with two Estimates, one relative to the deficiencies in appropriations for the contingent expenses of Indian Affairs in the Territory of New Mexico, for the fiscal year commencing July 1 1853 and ending June 30 1854.

And the other for contingent expenses, for the fiscal year commencing July 1 1854 and ending June 30 1855.
(See Letter Book pages, 399, 416, and 419.)

Sept 3rd

The Gov. sent Agent H. L. Dodge his instructions, (see Letter Book page 420)

Sept. 10th

The Gov. sent a communication to Agent Graves relative to some horses said to have been stolen by the Navajo Indians from the Apaches, see letter book page 422.

Santa Fe N. M. Sept 10th 1853

The Gov. received a communication from Mr. Alexander Valle in relation to the Apache Indians, see letter book page 423.

September 11th

The Gov. employed Mr. O. P. Hovey in order that he should proceed to Pecos Village, and together with Mr. A. Valle have an interview with the Apache Indians in regard to some horses said to have been stolen by the said Indians, see letter book page 424.

September 12th

The Gov. received a report from Agent Steck, dated Fort Fillmore August 23d in relation to the Mescalero Apaches, see letter book page 425.

September 15th

The Gov. sent a communication to Judge Charles Beaubien, or Mr. Jas. H. Quinn advising them of various acts of hostilities recently committed by the Mescalero Apaches, in the neighborhood of Fort Fillmore, and also of their movements, see letter book page 428.

September 15th

The Gov. sent a communication to Agent Graves together with Agent Steck's report, see letter book page 429.

Santa Fe N. M. Sept. 16th 1853

The Gov. sent a communication to Agent Smith in regard to general Indian Affairs, see letter book page 430.

September 18th

The Gov. sent to the Comm^r of Ind. Affs. his accounts for his transportation from Louisville, Kentucky to Santa Fe, N. M. see letter book page 432.

September 17th

The Gov. sent to the Comm^r of Ind. Affs. the reports of Agents Steck and Smith, together with other communications relative to Ind. Affs. see letter book pages 435 and 440.

September 26th

The Gov. sent a communication to Agent Smith in regard to Ind. Affs. see letter book—page 451.

September 26th

The Gov. sent to the Commissioner of Indian Affairs the accounts, vouchers &c of Agent Steck, and Special Agent L. Head together with a certified copy of his letter of appointment, see letter book pages 453, and 454.

Oct. 1st

The Gov. transmitted to the Comm^r of Ind. Affs. a long communication from Agent Smith, together with many other things connected with Ind. Affs. see letter book pages 456, 458, 460, 461, 463.

CHILDHOOD MEMORIES OF THE RIO GRANDE IN FLOOD

By MAUDE MCFIE BLOOM

DO FOUR-YEAR-OLDS remember? My mother said it was exactly a week since we had left Springfield, Illinois, for Las Cruces in New Mexico Territory, and for five days of this time the A. T. and S. F. mainline west had been in flood area. But the worst, of course, had been these last three days since leaving Albuquerque. In April of 1884 the Rio Grande was on its annual, spring rampage.

My mother's hands would flutter, and she said she simply couldn't stand all this horrible, rolling brown water much longer. But it was my birthday, and my brother Ralph (of seven) and I wanted to be happy anyway. So we rolled oranges and tossed walnuts in the isle of the wonderful "sleeping salon" while our mother talked to other passengers.

Our real suffering was for drinking water. The supply taken on long before at Albuquerque had soon been exhausted. There had been none since, except settled river water, taken on at little marooned towns where our train had been halted hours on end. Mama was afraid to let us drink it, nor did we mind until the fruit was exhausted. She said that when we arrived at the junction where the mainline turned due west—Rincon Junction which was only forty miles from Las Cruces—we should find a nice American eating house and pure, pumped water in plenty.

The trainmen told us of the "branch accommodation train" between Rincon and El Paso that we would get on. Pretty new yellow passenger cars, they said; an engine, as many freight cars as were needed, and our chair car made up that train. "Round trip" to and from El Paso in a day.

They told us this as the train took a spurt across the high, dry Jornada del Muerto. We were to reach Rincon at six o'clock sharp. Oh, it was very cheerful all that day.

Mama rested finally. Ralph and I could hardly wait to see the fine, new, painted-yellow chaircar. Most all the cars were new; this was only the second year since the railroad had begun through service.

We all petted my mother. She was only twenty-four, the youngest of a brood of seven sisters, so she expected it. My father, who had been in the Civil War, was very serious, and very much older, Mama said; ten whole years, she said. Mama was coming down to this god-forsaken New Mexico to uproot my father from this appointment as legal expert of the new U. S. Land Office. He was getting far too interested. . . .

Mama said he had no right to throw up his association with General John G. Logan and the speakership of the Illinois House of Representatives to come away off to this dry desert, even if the river *had* washed away the county seat at Mesilla and made a mess when the offices had to be moved across in boats to Las Cruces, getting papers wet, and lost, and all muddled up. Surely Papa had them fixed up, now after a year and a half bothering with the old things! Oh, she said, for the oaks, the snowballs in blossom, the never-ending lawns of her old home in St. Louis . . . the trellises, "Pride of the Prairie" roses, and the second story verandas overlooking the river of *clear, clean* water. Mama said *she* wasn't a hen to *moult* all her nice past life—like Papa!

Mama got vexed and slapped Ralph when he told her Papa couldn't be a hen anyway, that he'd be a rooster. I remembered it because it had never happened before—and it began to spoil my birthday just then.

At Rincon Junction everybody got scared all over again. The great steel bridge leading west to California was half under the flow but still passable, they said. The "branch" wasn't to make any more trips to El Paso; they told mama she would have to send a messenger by horse to Fort Selden for an army ambulance to take us three down to Las Cruces

because it was under water too—all except on the hill and the new station which was built up on high ground.

The trouble was that the Rio Grande was running full in both the old and the new beds. Oh, they predicted, wasn't the malaria going to be bad in "the valley" when the water went down finally. Mama began to shake all over again. Everybody was sorry for her now.

The big train heading west did cross the bridge, but the men shook their heads; that roadway led along the sandy soil for ten miles, and the very last building at Fort Thorn had been washed away. Of course Thorn wasn't occupied by troops now, but with the Apaches on the move and getting worse, there was talk of troops . . . Selden, being on the east side of the Rio Grande and twenty miles south, was too far. This in April of 1884 . . .

Ralph and I were very proud of our Papa. He "wrote for the papers" in the east, long wonderful letters about those Indians . . .

All of a sudden here came *our* train into position in front of the station where all we had to do was to step on. Just the one yellow car and the funny little engine. My, weren't we to ride in state!

Orders had been received just now, they said: the engine must get back to El Paso. There were not many engines—and in last year's flood the mate to this one had been lost down the Mesilla Valley. It was to start back immediately, not a minute lost. Every rod of track was to be felt out in advance of the locomotive, and *none* of the rails were gone yet.

The nice elderly conductor "jumped" Ralph and me up the steps and the train moved off. The brakeman had almost to lift Mama on. We didn't know it at the time, but they were scared about Mama already and had telegraphed for Dr. Lyons at Selden to meet the train—if it got to the Fort, and also if Doc. Lyons would be sober enough to serve.

We went plunk down into the raging, terrible flood waters of two big arroyos coming down from the Rincon

mountains off east. But the bridges held. They assured Mama that the whole way was built on rocky hillsides through The Narrows between Rincon and Robledo Pass; that all she had to do was shut her eyes and go to sleep. We all should, they said. Yes, siree, we were to be plumb down under water many a mile but hadn't they just come up that way—wasn't the car still wet?

Mama just looked at them with big, scared eyes, and said she'd try. We two thought we'd try too, and rushed down the car to get a good drink. If it would take us *all night* to arrive, we might as well sleep.

There was not a drop of water in that drinking water faucet! We looked at each other. We called to the two trainmen stationed on the rear platform keeping up a signaling with their lanterns to the handcar men following . . . if any track went out under our weight these were to hurry back to Rincon. Ralph asked them for "water, please."

Then they looked at each other in consternation,—the one thing they had overlooked in the hasty departure, having carefully drained it on arrival mid-afternoon! They grabbed our shoulders and whispered: Mama was not to know. Oh they'd do anything on earth for us if we'd just pretend we'd had a good drink and wanted to get off to sleep quick.

Just then Mama looked around from her staring out the car window where the night-black water was lap, lapping a few inches below the sill, and under foot more water was slosh, sloshing in the isles.

"Ralphie, Mama wants a drink, too. Be awfully careful, son. This engine is going to fall into the river too . . . we'll all be . . ."

The conductor hurried forward. Just a minute, he said soothingly, he was on his way to the engine to get her some nice distilled water, that the train was getting along fine, with no danger, and all that.

We got our arms around Mama, telling her what we'd promised to—Hadn't the conductor told us we'd have a *free*

ride to El Paso at circus time in the fall? And if, as the kind old man had pointed out to us, Mama was in for a god-awful lot of bad times down here in New Mexico, hadn't we just as well buck up—learn how to handle her at the start?

When he got back, all he had was half a greasy-looking tin cup full. In the other hand he carried a tin pail with more, but it wasn't free of engine grease, he admitted. Mother turned away. In another minute she was shaking and screaming, quite beside herself with hysterics.

We held on for dear life. The two men hurried back-car gesticulating. My brother was tall and thin; I was short and fat. Mama pushed away and ran splashing down the isle. They must go back to Rincon, she cried.

By now the two men had decided something. Certainly, said the conductor, if Mama would simply sip this water laced with a tip of fine Kentucky bullrun to cover the grease to quiet her nerves, why, he'd go out back and do some signalling about the situation . . . but she must quiet down—we all must settle so he could do it. It was good water, too he assured her; only trouble was the engine wasn't going fast enough to generate much steam so there'd be any amount to speak of tonight. See?

"It's plain whiskey," Mama said, wavering. He pressed it on her instead of her smelling salts, off which all the ammonia had spilled and we all began to cough. The *water* would stop our coughing, he said.

Mama was led back. She drank it down, gagging and crying that it hurt her throat. She kept on laughing and crying by spells, but pretty soon she was only laughing—and that in a very silly way. Nor did she watch out the window at the water. Then she leaned over to go asleep. Ralph and I curled our feet under us to warm and dry them. I'll never forget how nice and warm that red plush coach seat looked that cold night.

Ralph insisted he stayed awake and saw the tall, uniformed army doctor come in; the three men whispering and

grinning over us three. But I only remember waking at sunrise, to be hugged by our father very hard.

After the Las Cruces stop, the train went on for a few miles, when, with a hiss and a sigh, it toppled into the torrent. There it lay until, one day, my mother had a big idea. It was pure waste to allow that good sweet-toned engine bell to rust. It would be wonderful to have it for the new little Presbyterian church for which they were then trampling mud to make adobes.

As most of the young American boys were in Mama's Sunday School class, the Llewellyns, the Bryan boys, little Numa Frenger, an orphan and Ralph's bosom companion who was being raised by his namesake uncle Numa Raymond, Mama went right about it. All the fathers chipped in for the bell, and the railroad was very willing. It was quite an event, the bell.

Until the tower was finished they hung it from a pole between posts in the church yard. It was the first Protestant church bell in all the Mesilla Valley region. The men of town used it for a fire signal, too. And did we children have battles royal over who should ring it of a Sunday morning! We were an awful torment to old Mr. Matheson, the Scotch missionary to the Spanish Americans who was stationed there with a nice little Mexican congregation and a school where Mrs. Granger and her daughter, Miss Leva, taught all of us children those first years.

We lived neighbors to Dr. Lyons' family at 'Crúces but Mama did not forgive him for reminding her, on occasion, of her plight that night on the train. We didn't any of us—until that awful epidemic of scarlet fever. For, in those days, no *lady* wanted her dignity belittled.

With this earliest remembering of the Rio Grande on the rampage, that same little girl has been gathering data on the ancient towns that lie beneath the waters of the river. For the most part by floods, which seemed to be worst in cycles of ten years; but others drowned by dams.

The list now stands at twelve, charming, sleepy old colonial villages and towns that were, for the most part, begun as haciendas or fortalezas. Their names are found in traders' diaries, colonial family histories, the archives at Santa Fé, and land office registers.

Gregg's *Commerce of the Prairies* mentions the old crossing at Paraje, which was a little mercantile center when Numa Raymond got his start—and nearby Fort Craig, which was where the three Frenger children became orphaned when their officer father was killed by Indians. Paraje has been submerged under Elephant Butte dam for many a year. And it had a "twin" town just across the river as most of the towns did. The name of Paraje's twin was *Cantarecio*, meaning, "the place where the water sings loudly."

The Historical Society of New Mexico
(INCORPORATED)

Organized December 26, 1859

PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.
1861 — MAJ. JAMES L. DONALDSON, U. S. A.
1863 — HON. KIRBY BENEDICT
adjourned sine die, Sept. 23, 1863

re-established Dec. 27, 1880

- 1881 — HON. WILLIAM G. RITCH
1883 — HON. L. BRADFORD PRINCE
1923 — HON. FRANK W. CLANCY
1925 — COL. RALPH E. TWITCHELL
1926 — PAUL A. F. WALTER

OFFICERS FOR 1940-1941

- PAUL A. F. WALTER, *President*
JAMES F. HINKLE, *Vice-President*
MIGUEL A. OTERO, II, *Vice-President*
LANSING B. BLOOM, *Cor. Sec'y-Treas.*
MISS HESTER JONES, *Recording Secretary*

FELLOWS

- | | |
|---------------------|----------------------------|
| PERCY M. BALDWIN | EDGAR L. HEWETT |
| RALPH P. BIEBER | FREDERICK W. HODGE |
| WILLIAM C. BINKLEY | ALFRED V. KIDDER |
| LANSING B. BLOOM | J. LLOYD MECHAM |
| HERBERT E. BOLTON | THEODOSIUS MEYER, O. F. M. |
| AURELIO M. ESPINOSA | FRANCE V. SCHOLES |
| CHARLES W. HACKETT | ALFRED B. THOMAS |
| GEORGE P. HAMMOND | PAUL A. F. WALTER |

CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO
(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico. Albuquerque, New Mexico.

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

OCTOBER, 1941

No. 4



PALACE OF THE GOVERNORS

PUBLISHED QUARTERLY BY
THE HISTORICAL SOCIETY OF NEW MEXICO
AND
THE UNIVERSITY OF NEW MEXICO

NEW MEXICO HISTORICAL REVIEW

Editor
LANSING B. BLOOM

Managing Editor
PAUL A. F. WALTER

Associates

PERCY M. BALDWIN
FRANK T. CHEETHAM

GEORGE P. HAMMOND
THEODOSIUS MEYER, O. F. M.

VOL. XVI

OCTOBER, 1941

No. 4

CONTENTS

Antoine Leroux, New Mexico Guide.	Grant Foreman	367
New Mexico's Fight for Statehood. V.	Marion Dargan	379
The Coronado-Bocanegra Family Alliance	Lansing B. Bloom	401
Book Reviews		
<i>Western Americas: The Exploration, Settlement, and Development of the Region Beyond the Mississippi</i>	George P. Hammond	432
<i>Colorado, The Centennial State</i>	L.B.B.	433
<i>Government Handout: A Study in the Administration of the Public Lands, 1875-1891</i>	P.A.F.W.	435
Necrology		
George W. Hay		439
Charles A. Reynolds		440
Charles T. Smith		441
George C. Lougee		441
Harry Lee Patton		442
Charles C. Gilbert		443
Enoch L. Enloe		445
Notes and Comments		446
Index		448

Subscription to the quarterly is \$3.00 a year in advance; single numbers (except Vol. I, 1-4, and II, 1) may be had at \$1.00 each.

Volumes III-XV can be supplied at \$4.00 each; Vols. I-II are out of print in part.

Address business communications to Mr. P. A. F. Walter, State Museum, Santa Fe, N. M.; manuscripts and editorial correspondence should be addressed to Mr. Bloom at the University of New Mexico, Albuquerque, New Mexico.

NEW MEXICO HISTORICAL REVIEW

VOL. XVI

OCTOBER, 1941

No. 4

ANTOINE LEROUX, NEW MEXICO GUIDE

By GRANT FOREMAN

ANTOINE LEROUX was born of French Canadian parents who came to St. Louis at an early day. The dates which Leroux himself gave at different times show some discrepancy, but he seems to have been born in, or about, the year 1803.¹ At the age of nineteen, he was one of the young men who answered an advertisement of Sir William Henry Ashley; and he got his first acquaintance of the Far West as a member of the Ashley expedition of 1822. About two years later, perhaps by the summer of 1824, he arrived in Taos, New Mexico, and his written statement of March, 1853, shows that he regarded Taos as his home from the time of his marriage. This took place in November, 1833, as appears from the marriage register now in the Archiepiscopal Archive of Santa Fé.²

It would seem that Leroux soon came to be regarded as

1. Since Ashley did not enter the fur trade until 1822, Leroux could not have been employed by him in 1820 as he wrote in the statement for Senator Benton in 1853. See below.

2. This marriage record is of such interest in several ways that its text is given in full at the close of Mr. Foreman's paper.

A tradition at Taos has it that Leroux, in later life, moved across the mountains into the Mora valley and died there. This was true of Antonio Ledoux (one of the witnesses at the marriage of Leroux). The land holding in "los valles de Santa Gertrudis de lo de Mora," attributed by Twitchell (*Spanish Archives*, I, 143, title 473) to Leroux, was really that of Ledoux. The burial record of the latter (Santa Fé, Archiepiscopal Archive, Book B-14, Mora, 1856-60), dated Nov. 16, 1859, shows that Ledoux was born in 1779 and was husband of Apolonia Lucero, resident of the plaza of Santa Gertrudis. Leroux's connection was in the Taos valley and is listed in Twitchell, *Spanish Archives*, I, 485, Private Land Claim No. 47.—editor.

an honored citizen of the Taos valley. This is indicated by the names of those who assisted at the marriage: Charles Bent, María Ignacia Jaramillo, Carlos Beaubien, Antonio Ledoux. Moreover, his marriage identified him with the prominent Vigil family, members of which had, in 1742, secured a land grant that took in the choicest part of the Taos valley—including the present village of Taos.³ Acting as agent for the heirs, Leroux had the Santa Fé firm of Smith and Houghton⁴ begin action for the confirming of the grant. Because of this connection, the claim is known in the records as the "Antoine Leroux Grant."⁵ Significant also is an interlude in his engagements as guide during the year 1849. It was in September, 1849, that nineteen delegates assembled in convention at Santa Fé to prepare a territorial plan of government for New Mexico and to elect a delegate to congress. Three of the nineteen were from Taos county: Cerán St. Vrain, Father Antonio José Martínez, and Antonio Leroux.⁶

Leroux was one of a class of famous mountain men, celebrated as a guide and scout, and spoken of with great respect by all who knew that class of men. An early biographer of Kit Carson credited Leroux with character and talents similar to those of his subject. The partisans and friends of these early residents of Taos were wont to compare them; but, the biographer says, "It is a just tribute of praise due to both of these brave men, to say that they did not sanction by word or deed either party to the controversy. They came to appreciate each other, and as friends even felt

3. Santa Fé, U. S. Land Office, *Land Claims Record*, vol. II, 493-507, "Antoine Leroux Grant." The original grant was made (Aug. 12, 1742) by Governor Gaspar Domingo de Mendoza on petition of Pedro Vigil de Santillana, Juan Bautista Vigil and Cristóval Vigil.

4. Probably Hugh N. Smith is meant. He had been appointed attorney general in 1846, while Joab Houghton had served as chief justice 1846-49.

5. Action was started May 21, 1857, but was delayed by a protest of the Taos Indians. They withdrew their protest in September 1861 after receiving a deed for land which they claimed; and a few days later (Oct. 5, 1861) U. S. Surveyor General A. P. Wilbar recommended confirmation of the Leroux grant; congressional approval was dated March 3, 1869.

6. Twitchell, *Leading Facts of New Mexican History*, ii, 269, note.

elated, the one at the success of the other and vice versa . . . Their ranches were located in the same valley and in the same town where, having lived together as fast friends in life, they found their last resting place in the same graveyard.”⁷ At least the last statement is a mistake, as we shall see; but it is an interesting fact that their associates made such a comparison between Carson and Leroux.

During the Mexican War, Leroux was a faithful and efficient guide for army officers, notably for Col. Philip St. George Cooke while, in 1846, he was taking his Mormon Battalion from Santa Fé to California. Cooke acknowledged his services in terms of high praise, and spoke of him as the most sensible and experienced of guides.⁸

Leroux was the leader of the company of scouts attached to an expedition made by Company G of the First Dragoons, under Lieut. Joseph H. Whittlesey, that marched from Taos in March, 1849, against the Utes. During the next October, he and Kit Carson guided Maj. William N. Grier in a fruitless pursuit of the Indians who, at Point of Rocks, east of Taos, had captured Mrs. J. M. White and daughter of Virginia, after killing her husband and other members of their party.⁹

Leroux served as guide for Capt. Lorenzo Sitgreaves during his exploring tour from Zuñi to the Colorado River and California in 1851, and contributed much to the success of the expedition.¹⁰ In San Diego in the following April, desiring to return home, he offered his services to John R. Bartlett who was engaged in surveying the Mexican boundary. Bartlett says he gladly accepted the services of the “celebrated guide” to get him through to New Mexico, and

7. Dewitt C. Peters, *Kit Carson's Life and Adventures* (Hartford, Conn., 1874), p. 388.

8. House Executive Document No. 41, 30th Congress, 1st session, “Notes of a Military Reconnaissance,” p. 416, Report of Philip St. George Cooke.

9. Blanche C. Grant, *When Old Trails Were New: the Story of Taos* (New York, 1934), pp. 158-9.

10. Report of an Expedition down the Zuñi and Colorado Rivers by Capt. L. Sitgreaves, Corps of Topographical Engineers (Washington, 1854), 32nd Congress, 2nd session, Senate Executive Document No. 59.

turned his outfit to him to organize and manage.¹¹ When they arrived at the Maricopa village on the Gila River, Bartlett says, "Leroux found a chief named Blanco who headed the Maricopa Indians in a fight in 1827 with a party of hunters and trappers from New Mexico, including Leroux, who barely escaped with their lives."¹²

The year 1853 was a busy one for Leroux. Senator Thomas H. Benton, though he had not been returned to congress, was immensely interested in promoting the proposed Central Railroad route from St. Louis to California. Because of the absence of Senator Benton and his son-in-law, Colonel Frémont, from congress, and also because of the divergent interest of Secretary of War Jeff Davis, attention had been attracted to the Memphis or southern route to such an extent that in congressional consideration it had acquired a great advantage over the central route. But the recent authorization by congress for examination and surveys of routes to California seemed to promise adequate consideration of the central route. Senator Benton, relying greatly on the explorations of Frémont, contributed many letters to the press in which he quoted Frémont and other explorers to demonstrate the advantage of this route through the present Colorado.

In support of Senator Benton's efforts, Leroux apparently had been induced to visit Washington, to contribute his information to the subject. His efforts took the form of an interesting account, obviously prepared at the instance of Senator Benton, which reads as follows:

At the request of Col. Benton, I, Antoine Leroux, native of St. Louis, of Missouri, and now an inhabitant of Taos, in New Mexico, do make the following statement in relation to the Pass at the head of the valley of the Del Norte, and of the country on each side of that Pass; and also, as to the best

11. John R. Bartlett, *Personal Narrative of Explorations and Incidents Connected with the United States and Mexican Boundary Commission* (New York, 1854), I, p. 206.

12. *Ibid.* Evidently this trapping party did not go through to California, for it is not one of "the four times" mentioned below by Leroux.

road from Missouri to California. And first I tell how I got acquainted with the country.¹³

In the year 1820 when I was in my nineteenth year,¹⁴ I joined Gen. Ashley and Major Henry in an expedition of hunting and trapping to the Upper Missouri and Rocky Mountains; and after near two years in that part I went to Taos, in New Mexico, and afterwards married there,¹⁵ and have made it my home ever since; and from that place I carried on the business of a beaver trapper for about fifteen years, generally on the waters of the Great Colorado of the West; and have trapped the whole country, every river, creek, and branch from the Gila to the head of the Grand River fork of the Upper Colorado, and out to the Great Salt Lake, and on the waters of Wah Satch Mountain, and out to the Virgin River, and have been four times to California, and guide to a great many American officers employed in Mexico, and know the country from New Mexico to California.

At the head of the Valley of the Del Norte there is a broad pass about eight miles wide, called by the Utah Indians Coo-cha-tope, and by the Mexican Spaniards, El Puerto, and which signifies in both languages, the *Gap*, or the *Gate*; and has been known to the Spaniards ever since they settled in New Mexico, and by the Indians always. It is made by the *Sierra San Juan*, which comes up from the south on the west side of the Del Norte and *gives out there*; and by the *Sierra Blanca*, which comes in from the east like it was going to join the San Juan, but turns off north round the head of the Arkansas and towards the Three Parks, and is eight miles wide. Here between these two mountains is the pass¹⁶ which goes out level from the valley of the Del Norte (and looking like a continuation of it), which leads to the upper waters of the Great Colorado of the West. The Del Norte does not head in this pass, but in the San Juan mountains, a little south of the pass where there

13. For a biographical account of Leroux see *Les Canadiens de L'Ouest* by Joseph Tassé (Montreal, 1878), 231 ff.

14. As noted above, the year here should read "1822." A still greater error appears in the record of a *carta de naturaleza* (naturalization paper) issued at Santa Fé on Sept. 17, 1830, to "Antonio Loruo," one of a group of French Canadians from St. Louis. With little doubt this was Antoine Leroux, but his age was given as "35"—which would place his birth in 1795.—editor.

15. Santa Fé, Archbishopal Archive, Book M-40, Marriages, Taos, 1833-45, ff. 4v-5r.

16. Cochetopa Pass of today.

is also a summer pass,¹⁷ but none for the winter on account of the snow in it. There is a small creek in the pass¹⁸ called by the same name, Coo-cha-tope, which comes out from the end of the San Juan and goes about eight miles east towards the Del Norte, but stops in a small lake, out of which a little stream gets to the Del Norte—which shows how level the country is. The pass is heavily timbered with large pine trees, and with piñon, and there may be some small oaks, but I am not certain. There is not much snow in this pass, and people go through all the winter; and when there is much snow on the mountains on the *Abiquiu* route (which is the old Spanish trail to California), the people of Taos go round this way and get into that trail in the forks of the Grand and Green rivers. There are trails through it, but after you get through there are many trails, some going to the Abiquiu road, and some up or down the country. This pass is laid down on a map I saw in the War Office made by Lieut. Parke and Mr. R. H. Kern, and is there named after me, because I gave Lieut. Parke information about it. It is the only map I have seen that shows that pass, and the best one I have seen in that part of the country, and with a little correction would be perfect. As for the country on each side of the pass, I will describe it, and on the east side first.

There is a large valley to the east, about 50 to 60 miles wide, and near 100 miles long, reaching from the Coo-cha-tope to the Taos settlements, at the Little Colorado.¹⁹ The Del Norte runs through this valley, which is the widest and best valley in all New Mexico, and can hold more people than all New Mexico besides. It is all prairie except on the creeks, and on the river, and on the mountain sides, which are well wooded. It is a rich soil, and covered with good grass, and wooded on all the streams. The Spaniards called it El Valle de San Luís, and it was formerly famous for wild horses and buffaloes; and ever since Taos was settled by the Spaniards, the inhabitants drove their sheep and cattle there to winter. Before the Utah Indians became so bad, the stock, as many as 50,000 or 60,000 head of sheep and cattle have been driven there to winter, which they did well, feeding on the grass during the day, and sheltering in the woods about the shepherd's camp at night. Most of the winters, there is no snow along the foot of the mountain on the

17. Probably Spring Pass of today, Leroux Pass on the Parke Map.

18. Again speaking of Cochetopa Pass.

19. Red River of today, 20 miles north of Taos where the San Luís valley begins.

north side of this valley, being sheltered from the north, and open to the sun to the south.

The United States have established a military post in this valley, not far from the pass of El Sangre de Cristo, and about two hundred families have gone there to live, chiefly near the fort, and raised crops there last year, and now that they have protection, the valley will soon be all settled, and will be the biggest and best part of New Mexico. About three families more were preparing to move there. The post is called Fort Massachusetts.²⁰

This valley has several passes through the Sierra Blanca into the prairie country, on the Upper Arkansas and Kansas, the best of which is called El Sangre de Cristo, at the head of the little streams called Cuchadas, which fall into the Huerfano, a small river falling into the Arkansas not far from Bent's Fort. It is a good pass, and Bent and St. Vrain's wagons have passed through it, and it is passable the worst of winters; for Col. Beale's dragoons passed through it the same winter, and nearly the same time, that Col. Frémont went through another pass further west. The distance through these passes is not more than five miles. This is the description of the country on the east side of Coo-cha-tope Pass.

On the west side of the pass the country opens out broad and good for settlement, and for roads, and is the best watered country I ever saw out to the Wah-satch Mountains and to *Las Vegas de Santa Clara*. After that the water and grass became scarce, and the land poor. It is called a desert, though travelers find camping grounds every night, and the great cavalcades of many thousand head of horses from California to New Mexico annually pass along it. After you go through the pass at the head of Del Norte, there are many trails bearing southwest toward the great Spanish trail by Abiquiu, which they join in the forks of the Grand River and Green River (forks of the Great Colorado of the West), where it is a great beaten road, easy to follow day or night. The country is wooded on the streams with prairies between, and streams every three or five miles, as the Great Colorado here gathers its head-waters from the Wah-satch and Rocky Mountain ranges, which are covered all over with snow in the winter, and have snow upon their tops in the summer, which sends down so much water, and cool, clear and good. And this is the case generally out to the Wah-satch Moun-

20. On Utah Creek, two miles north of Fort Garland. By "Col. Beale" in the next paragraph, Leroux means Lieut.-Col. Benj. Lloyd Beall.

tains and Las Vegas de Santa Clara—a distance of near five hundred miles from the head of Del Norte. Wagons can now travel this route to California, and have done it. In the year 1837, two families named Sloover and Pope, with their wagons and two Mexicans, went from Taos that way.

Col. Frémont was looking for Coo-cha-tope Pass in the winter of 1848-9, and was near enough to have seen it, if it had not been hid by the lapping of the mountains, when his guide led him off into the mountains, instead of keeping up the dry valley, which he wished to do, and which would have taken him through easy. It was the worst winter for snow, but he could travel all the time in the valleys and passes. I was below him on the waters of the Arkansas at the same time, acting as guide to Col. Beale, who was out after the Apache Indians with a detachment of dragoons, and we heard of him at the Pueblos. He went as high as Hard Scrabble, and got corn before he crossed into the valley of San Luís, and we got corn at the Greenhorn Pueblo on the San Carlos Creek, about 50 or 60 miles below him, and heard that he had passed along, and supposed that he had gone safe through, and knew no better till he got back to Taos, when I told him how near he had been to the place he was looking for. We passed with the dragoons through the Pass El Sangre de Cristo (Blood of Christ) and got through easy, and that was the dead of winter and the greatest snow we ever had.

There is a way also up the Arkansas to get to the waters of the Great Colorado. It is by Bent's Fort, by the Pueblos and Hard Scrabble (at all which places corn and vegetables are raised), and by Witham's fishery, and at the head of the river, leaving the Three Parks to the north. Horsemen and stock can go that way. Maxwell, of Taos, drove out between four and five thousand head of sheep and cattle last summer, intending to take them to California, but went to the Great Salt Lake and sold them there.

A wagon can now go from Missouri to California through the Coo-cha-tope Pass, without crossing any mountain but the Sierra Blanca (and there have the choice of three good passes), and without crossing any swamp or large river, and nearly on a straight line all the way. only bearing a little south. And supplies of grain and cattle can be had from the Pueblos on the Upper Arkansas, and also from the Mexicans in the valley of the St. Louis, and also from the Mormons at *Ojo San José*, and at their settlement on the Nicollet river, and at Las Vegas de Santa Clara.

I have been from New Mexico to California four times, namely, the way I guided Col. Cook, the way I guided Capt. Sitgreaves, and the Salinas route, and the Abiquiu route, and of these four the one I guided Capt. Sitgreaves is, as I informed Mr. Seward,²¹ the best and shortest from Santa Fé or Albuquerque; but from places farther north, and especially from Missouri, the Coo-cha-tope Pass is best and shortest, and has most water, grass, wood and good land on it; and has most snow, but not enough to prevent winter travelling; so that when there is much snow in the trail by Abiquiu, people from Taos go that way, as I have already said. The snow in that country is dry, and the moccasins that we wear do not get wet.

And being asked by Col. Benton to state the best way from Missouri to California, I answer: Start as the people now do, going to New Mexico, from the frontier of the State of Kansas or Independence, and for *summer* travelling go through the prairies up towards Bent's Fort, and up to the Huerfano to the Pass El Sangre de Cristo; then out by the Coo-che-tope Pass, following a trail to the great Spanish trail. The *winter* travel will be to start from the same point, but follow the Kansas River valley for the sake of the wood, and when that gives out, cross to the Arkansas, which is not far off, and level between, and follow that up for wood. The prairie is the way in the *summer*, but *winter* travelling must have the protection of woods and timber against snow-storm. And everything that I tell I can show, and would undertake to guide a party safe through with wagons now.

ANTOINE LEROUX

Senator Benton addressed a communication to the people of Missouri, incorporating Leroux's account which was published in the *Missouri Democrat*.²²

When Leroux started on his return from Washington to Taos, he apparently travelled by way of St. Louis, and then by the Santa Fé Trail. Edward F. Beale was on his way from Independence to California in 1853, to assume his post as superintendent of Indian affairs, and, at a crossing of the Neosho River on the Santa Fé Trail on May 20, he over-

21. Evidently William H. Seward of Auburn, N. Y., at this time in the U. S. senate. Later, his interest in the Far West brought the purchase from Russia of Alaska, then called "Seward's Folly."—editor.

22. Copied in the New York *Daily Tribune*, March 16, 1853, p. 5, cols. 4-6.

took Leroux. Beale congratulated himself on his good fortune in securing the services of so experienced a guide. But Leroux seems to have been in charge of a train which he felt obliged to conduct safely over a few bad places along the route, and so was not able to join Beale at once; but he promised to overtake him in a short time.

However, when Beale arrived at Fort Atkinson, he found Leroux there under the care of the post surgeon, too ill to travel, and was obliged to proceed without him. Beale had a good deal of difficulty on his route, and in July he again called on Leroux at his home in Taos where he had recently arrived from Fort Atkinson; but again Leroux was unable to accompany him.

At this time, Capt. J. W. Gunnison, with his party organized to survey the middle railroad route on the 38th and 39th parallels, passed Fort Atkinson and Fort Bent; and subsequently, on August 13, he arrived in the vicinity of Fort Massachusetts near the more recent Fort Garland in Costilla County, Colorado. Here he sent Lieut. H. E. Beckwith and Lieut. Lawrence S. Baker to Taos, to secure the services of Leroux if possible. After a ride of over a hundred miles, they reached Taos, spoken of by Gunnison as the "headquarters of many of the most reliable and experienced of these mountain men."²³

There they succeeded in engaging Leroux, subject to a prior engagement with Lieut. A. W. Whipple for later in the fall; and after thirty hours of travel, on the 19th they arrived back at Gunnison's camp. Leroux joined them the next day, and the party set out under the direction of this guide, who agreed to accompany them as far as the Spanish Trail which intersected their route in the vicinity of the present Mora in Utah. They crossed the mountain range and descended the Gunnison River; but after passing the site of the present Grand Junction to about where is now the western boundary of Colorado, Leroux was obliged to leave

23. House Document No. 91, vol. 2, Report of Lieut. E. G. Beckwith of the Route Explored by Capt. John W. Gunnison.

them, September 25, and return to Taos, a month before the unfortunate Gunnison and some of his companions were killed by the Indians near Sevier Lake. With three companions, travelling principally by night, and relying on his skill and knowledge of the country, Leroux successfully passed through the hostile bands of Indians, and reached his home in Taos in good season to keep his engagement with Whipple.

Lieutenant A. W. Whipple, in charge of the Pacific Railroad survey along the 35th parallel, arrived at Albuquerque early in October, 1853, where they remained about a month, making their preparations for continuing the journey west to the Pacific Ocean.

Here Whipple met Leroux whom he had engaged as guide for the remainder of the journey.²⁴ Leroux's services from this time on are described in considerable detail by Lieutenant Whipple in his report. It is obvious that Leroux was relied upon greatly by Whipple, who was much impressed with the judgment and knowledge of his guide.

Antoine Leroux died at Taos in the summer of 1861, two months before the land grant which was associated with his name received favorable action by the surveyor general in Santa Fé. The brief burial record states that on August 1, 1861, burial was given to the remains of "Antonio Leroux, husband of Juana Vigil, in the nave of the parish church."²⁵ In all the burials at Taos during a period of fifteen years, including for example that of Carlos Beau-bien, no one received such signal honor in his place of burial as did this old French guide and mountainman.

24. *Pacific Railway Survey Reports*, Vol. I, p. 22.

25. Santa Fé, Archiepiscopal Archive, Book B-42, Burials, Taos. 4/23/850-8/27/865, f. 453r. An interlineation by a later and very different hand is misleading.

MARRIAGE RECORD OF
ANTONIO LEROUS AND JUANA CATARINA VIGIL

In this curacy of Taos on November 4 of the year 1833, I, the parish priest Don Antonio José Martínez, having obtained the matrimonial dispensation [required] for any stranger and transient for the benefit of Antonio Lerous, bachelor from North America, legitimate son of Antonio Lerous and Elena Josí, so that he may contract marriage with Juana Catarina Vigil, single, from the curacy of San Juan [de los Caballeros] in this Territory, legitimate daughter of Juan de Jesús Vigil and María Paula Baldes, residents of the precinct of San Fernandes: the said dispensation having been dated on October 6 just passed in the city of Santa Fé by the very Illustrious Bishop Don José Antonio Luriano de Subiría²⁶ [and] returned with the application which I sent, so that I might file it, as I did; and having admonished them (read the banns) on the 20th and 27th of the said October, which were the twenty-first and twenty-second Sundays in the order of Pentecost, and also on the first day of the present feast of All Saints, and since no kind of impediment appeared, and having read to them the said dispensation, following confession and communion, I married and blessed them *in facie Ecclesiae* (in due form of the Church). The *padrinos* (god-parents) were Charles Bent²⁷ and María Ignacia Jaramillo; attending witnesses were Don Carlos Beaubien²⁸ and Antonio Ledús, all residents of the *barrio* (ward or precinct) of San Fernandes, with the other [witnesses] who were present. The said *auto* (ceremony) was in the Church of Our Lady of Guadalupe, a chapel of this parish; and for attestation I signed it.

Antonio José Martínez (rubric)

26. Don José Antonio Laureano Zubiría, Bishop of Durango, was making an official visit and seems to have been in New Mexico for at least three months, July-October, of 1833.

27. The original reads "Carlos Vente," but there is no mistaking the famous Charles Bent, while the second *padrino* was later to be his wife.

28. Another name which helps to make this marriage record impressive. Beaubien was one of the most prominent and influential of the "foreigners" then in New Mexico. Comment has already been made (note 2 above) regarding Antonio Ledoux (Ledus).

NEW MEXICO'S FIGHT FOR STATEHOOD (1895-1912)

By MARION DARGAN

V. THE SILENCING OF THE OPPOSITION AT HOME

CITIZENS of New Mexico were probably more outspoken in opposing the admission of the territory to the union in the middle of the 1890's than they were ever to be again. Less than two years after the defeat of the proposed constitution of 1890 by an overwhelming majority of the voters, leaders were already seeking to work up a boom which would crystallize sentiment in favor of statehood. Thus in February, 1892, the Las Vegas *Optic* announced that representatives of the territorial press would meet during an irrigation convention at Las Vegas "to discuss the question of statehood and to agree, if possible, on the attitude of the press of New Mexico, towards that question."¹ The *Optic* added: "There can be little doubt that whatever view may be adopted and pressed by the papers of the territory, that is the view which will prevail." Three months later the same newspaper asked: "Would it not be well to have statehood meetings in every county, and every town of any considerable size in each county?"² Repeating this suggestion three days later, the *Optic* added:

If we are to have any concert of action in this Territory, in favor of statehood, it is time the preliminary steps were taken. Nothing could exercise greater influence than statehood meetings all over the Territory, among the native people as well as in the Anglo-American centers. Let congress see that we want statehood, regardless of race or political differences. But time presses, and nothing is being done.³

How many meetings actually resulted from these suggestions, it is impossible to say. Certainly the action of the

1. Las Vegas *Optic*, Feb. 26, 1892.

2. *Ibid.*, May 13, 1892.

3. *Ibid.*, May 17, 1892.

democrats in "stealing" the legislature in January, 1895, ruined all hopes of any concerted action on the part of citizens of the territory, irrespective of party affiliations. When congress met in December, however, the hope sprang to life that T. B. Catron, the new delegate, with his "brains and energy," would succeed where Antonio Joseph had failed. On January 14 of the following year, the republican territorial central committee adopted the following resolution:

Resolved, that we recognize that the early attainment of statehood is the matter of paramount importance to the people of New Mexico at present and insist that no partisan or personal advantage shall stand in the way of that object, of which the republican party has always been the champion, and we call on all patriotic citizens to unite in the strongest possible effort to secure this boon to our people at the earliest possible moment.⁴

The people, however, refused to be aroused by mere resolutions adopted by party leaders. Six years later in January, 1902, the *Denver Republican*, concluded that "the chief stumbling block in the way of the territories has been the indifference of their own residents to the question of statehood."⁵ The claim that this attitude had disappeared by that time, however, was at least partly true. The territorial press and the politicians had worked up a popular movement to "boom" statehood. Many who had formerly been indifferent now supported the cause. Others, however, opposed the crusade—some openly, and some in secret.

Apparently, the passing of less than a decade had brought about quite a difference in the attitude of statehood workers toward their opponents. On Dec. 15, 1893, the *Santa Fe New Mexican* had said:

This is a fine country, and if anyone wants to kick generally, he or she has the privilege; but the men who are now secretly kicking on the admission of New Mexico are making a grand and grievous

4. *Ibid.*, Jan. 15, 1896.

5. *Denver Republican*, quoted in *Albuquerque Citizen*, Jan. 27, 1902.

mistake and one that will react on themselves and the territory; . . .⁶

This comment was prophetic of the tendencies of the time. Champions of statehood still professed to respect the rights of the "antis," but threats were already forcing the latter to fight secretly rather than in the open.

In the spring of 1901 statehood workers united to arouse popular enthusiasm to a high pitch and to put pressure on the opposition. The outstanding leader in this crusade was Bernard S. Rodey of Albuquerque, who had been elected delegate to congress the preceding year.⁷ On assuming leadership of the statehood movement in March, 1901, Rodey gave out an interview in Washington in which he pointedly said, "Every man who doesn't want statehood is our enemy."⁸ Economic forces at work in the middle Rio Grande valley made a push for statehood most opportune at this time, and provided a new worker for the cause. This was Dr. Nathan S. Boyd, an Englishman, who was the head of a company that was attempting to construct a dam across the Rio Grande at Elephant Butte, about 150 miles north of El Paso.⁹ Legislation pending in congress and a proposed treaty with Mexico aroused great concern lest the right to use the waters of her principal river be taken from citizens of the territory and be conferred on the republic of Mexico and on land speculators of the El Paso area.¹⁰ Accordingly, Dr. Boyd wrote the Albuquerque *Citizen*, urging that New

6. The following editorial, quoted by the *New Mexican* from the *Eddy Citizen*, suggests that that paper had already become very intolerant toward the opposition: "No one can afford to fight the statehood proposition. It means everything to New Mexico, and the man who would put so much as a straw in its way will go on record as a traitor to himself, to his country and all its interests. Do you want to be thus branded? Do you want to be known the world over as uncouth, uneducated, a link of antediluvian days, in fact a creature uncivilized, unfit to bear the glorious title of 'an American citizen'? If so, vote against statehood." *New Mexican*, Dec. 18, 1898.

7. Rodey's personality and work for statehood will be discussed fully in the next article in this series.

8. Farmington *Hustler*, March 28, 1901.

9. Coan, Charles F., *A History of New Mexico* (Chicago, 1925), vol. II, p. 466.

10. For Governor Otero's part in defeating this treaty, see his *My Nine Years as Governor, 1897-1906* (Albuquerque, 1940). The territorial newspapers also contain frequent references to this fight.

Mexico needed immediate statehood in order to fight the Culberson-Stephens bill and to save her waters for the use of her own farmers and ranchers.¹¹ He stated that he had persistently sought to induce the leaders of the two political parties of the territory to organize "a plan of campaign," and had tried to win over his friends, although some of them had not been convinced. He urged the editor to take up strenuously the cause of statehood, and to make it "the key note of his editorial policy. Two days after the publication of Dr. Boyd's letter, Ralph E. Twitchell contributed a letter to the *Citizen*, suggesting that friends of the movement undertake "to smoke out of their holes" those who were opposed to statehood.¹² The way to do this, he pointed out, would be to go to the leading business men and biggest taxpayers of the territory and ask them to endorse statehood in black and white so that it could be shown to the committee on territories and others in congress. If they refused, they would probably find out if the business prosperity which they enjoyed from relations with a people "they vilified on the quiet" would continue. The writer denounced the motives of "the antis" as selfish and narrow, and asserted that they would not dare to give the real reasons.

Apparently these suggestions led to an intensification of the movement. Certainly the territorial press was soon making a zealous campaign for statehood and against all who opposed it. The latter were described by the *Citizen* as "people who are making a fortune in the territory, and who are afraid to trust the people,"¹³ while the *New Mexican* asked objectors the pertinent question, "If you are not for statehood, what are you for?"¹⁴ The "antis" were compared to "birds of passage" who had no interest in the country and

11. *Citizen*, April 23, 1901. The bill took its name from Senator Charles Allen Culberson and Congressman John Hall Stephens, who had introduced separate bills into the senate and the house. These were later combined into the Culberson-Stephens bill.

12. *Citizen*, April 25, 1901.

13. *Ibid.*, May 9, 1901.

14. *New Mexican*, Oct. 15, 1901.

to "the Tories of 1776 who preferred British rule."¹⁵ They were said to spend their time in idle tirades against political conditions in the territory and in abusing the native people.¹⁶ They were not good American citizens because they favored an imperial form of government instead of government by the people.¹⁷ They should live in autocratic China or Russia, and should not be allowed to celebrate the fourth of July, since it meant nothing to them.¹⁸ "Mossback" seems to have been the chief epithet hurled at the opposition. The *Journal-Democrat* declared that the best thing that could happen to the territory would be for the miserable pessimists who had been making a fortune in New Mexico, and who were lukewarm for statehood "to die and get out of the way of the wheels of progress."¹⁹

The spring and summer of 1901 found the statehood boom in full swing. In April the *Citizen* predicted:

Before the coming summer is over, the antis will be such a small minority that they will be afraid to express themselves. Our advice to the young men of this territory is, make no mistake, get on the right side: remember the world never goes back: statehood is New Mexico's destiny, and you might as well be in the band wagon when the bon fires of progress are lighted a year from next fall.²⁰

In May the *New Mexican* said:

The enthusiasm for statehood for New Mexico is growing so among the people that it is beginning to be like it is during time of war, everybody who is not enthusiastically for it is put down as against it and treated accordingly.²¹

During the latter part of the summer and in the fall

15. *Citizen*, Oct. 17, 1901.

16. *Ibid.*, July 31, 1901; Nov. 1, 1901.

17. *Journal-Democrat*, July 25, 1901.

18. *New Mexican*, July 3, 1901.

19. *Journal-Democrat*, August 30, 1901.

20. *Citizen*, April 12, 1901.

21. *New Mexican*, May 11, 1901.

the statehood press claimed remarkable success for their campaign of propaganda. In July the *New Mexican* announced:

Since the agitation for statehood began in the *New Mexican* and other papers, the few people who were inclined to be lukewarm on the question have come around, and now that they have examined the question, and know that there is absolutely no argument against it and every argument for it, the territory appears to be practically a unit on the subject. This is as it should be. There is no room for two opinions on the question as to whether or not the people in the territory shall organize a state government.²²

In August the *Journal-Democrat* declared: "The few territorial papers that for a time decried statehood are keeping mum on the subject these days. Let them take off their muzzle and join in a solidly united effort to secure the desideratum."²³ Two months later the *New Mexican* announced significantly:

There is no longer a single newspaper that seriously opposes statehood. One after the other the Democratic and Populistic newspapers have furled their anti-statehood banners and have joined the forces that demand statehood. The people of New Mexico are emphatically a unit in demanding from congress an enabling act. Can congress do otherwise than accede to this demand?²⁴

The press, of course, did not claim that 100 per cent of the population supported the movement. The *Citizen* claimed merely "a large majority," while the *New Mexican* declared that carefully compiled reports from all over the territory indicated that fully nine-tenths of the people favored statehood.²⁵ The Santa Fé paper admitted that a

22. *New Mexican*, July 2, 1901.

23. *Journal-Democrat*, August 9, 1901.

24. *New Mexican*, Oct. 21, 1901.

25. *Citizen*, Nov. 20, 1901, *New Mexican*, quoted by *Journal-Democrat*, Oct. 23, 1901.

small minority would continue to "cry out" against statehood "as loudly and as strongly as it possibly can," but declared that their efforts were like those of "Mrs. Partington in trying to keep back the waters of the sea with a broom."²⁶

The desire to unite all the citizens of the territory occasionally led to attacks on individuals. Surprisingly enough, two who were thus singled out were not only among the most prominent native leaders of the time, but were both publicly identified with the movement to secure the admission of the territory to the union. Those were Col. J. Francisco Chaves and Solomon Luna, both of Valencia county. The former had favored statehood while a delegate to congress, and had been quite active in 1889 and 1890, when he had been the president of the constitutional convention.²⁷ A man of 68 years of age in 1901, he held the position of territorial superintendent of public instruction. The latter belonged to a family that controlled the politics of Valencia county for half a century.²⁸ A good and just man who had at heart the interests of his people, he was said to be the wealthiest sheep owner in New Mexico. While he might have had any office in the territory, he was modest enough to content himself with a place on the republican national committee, which he held from 1896 until his death in 1912.

In September, 1901, the San Marcial *Bee*, an influential Republican paper, charged in an editorial that these two republican leaders "and other native friends of theirs" were "secretly knifing" the statehood cause.²⁹ The *Bee* declared that Luna feared that statehood would bring in new laws, which would force him to enumerate his vast herds of sheep on the tax rolls, and that both he and Chaves feared the

26. *New Mexican*, Oct. 30, August 26, 1901.

27. Chaves is mentioned several times in the third article of this series. See the *Review*, XV, pp. 168, 181, 182.

28. Twitchell, *op. cit.*, p. 551; vol. 5, pp. 3-4.

29. No copy of this issue of the *Bee* is available, but the editorial was reprinted in the *Journal-Democrat* and the *New Mexican* for Sept. 24, 1901. The editor of the *Bee* was a Canadian, Henry Hammond Howard, who exerted a strong influence in political circles. *History of New Mexico* (Pacific States Publishing Co., Los Angeles, 1907), vol. I, pp. 478-479.

coming in of new settlers which might reduce their own importance in New Mexico. The editorial closed with the comment that, while it was difficult to believe such rumors, "they have recently reached us from a quarter that leaves but scant hope" that the suspicions they aroused were "groundless."

Other republican papers indignantly denied these charges,³⁰ and both Chaves and Luna issued statements to the press, reminding the people of their public activities in behalf of the cause.³¹ The *Bee* was said to have retracted its charges,³² but in the spring of 1902, together with "*El Republicano* and other staunch republican newspapers of the territory," it asserted that there was "a sudden apathy" of the people toward statehood, and that this was "due to the influence of large sheep and cattle interests, the same interests that favor a lease law in order to perpetuate their holds upon the public domain to the exclusion of everyone else."³³ The *New Mexican* admitted that there might be truth in these charges, and called upon the opposition to come out in the open, since "Congress had the right to know whether New Mexico wants statehood or not and the men who shout for statehood at political conventions and then turn their backs upon the cause or even work against it secretly are political tricksters" who deserve contempt.

Considering the pressure put on the opposition, however, it was only natural for the "antis" to resort to secret tactics at times. Whatever the attitude of the leaders named, old timers suggest with a good deal of plausibility that some of both the cattle and sheep men and the native leaders may have entertained misgivings regarding the future. Advo-

30. The *Citizen* defended the two men as follows: "It has been the life work of Colonel Chaves to help make New Mexico a state. For a quarter of a century he has faithfully advocated statehood. Mr. Luna is a faithful worker for statehood, and will go to Washington next winter and urge the admission of the territory." *Citizen*, Sept. 23, 1901.

31. *New Mexican*, Sept. 24, 1901.

32. *Ibid.*, Sept. 30, 1901. The *Bee* later reprinted the statements issued by Chaves and Luna. *New Mexican*, Oct. 4, 1901.

33. *Ibid.*, March 11, 1902.

cates of statehood always claimed that it would bring in a rush of immigrants. The former may have feared that this increase in population would put an end to their use of the public domain, as well as raise their taxes. The latter may have feared that the native people would then lose control of New Mexico, as they had already done in Texas and California. Certainly native leaders felt some anxiety when statehood did finally come, since Luna and Larrazolo both took pains to see that clauses were inserted in the state constitution to protect their people.

The crowning effort in the statehood boom was a state convention called by Governor Otero at the request of Delegate Rodey and leaders of both parties.³⁴ It met in Albuquerque on October 15, 1901, in connection with the territorial fair. One purpose was to demonstrate to congress that the people of New Mexico were united for statehood.³⁵ Colonel Chaves, whose loyalty had recently been under fire, was introduced as "the father of the statehood movement." One of the speakers, Governor Murphy of Arizona, paid particular attention to objections heard in the territories against their admission to the union.³⁶ Resolutions were adopted presenting the claims of New Mexico and demanding action from congress. There can be little doubt that the convention served to crystallize sentiment in the territory, and to silence the opposition.

Following the convention, statehood boomers denied that the opposition at home amounted to anything. Thus two weeks later the *New Mexican* announced that it declined "to treat the attacks on the statehood movement in this territory seriously."³⁷ Frank Clancy, district attorney for the second judicial district, visited Washington in December, 1902, and expressed much the same idea. He told a reporter for the *Washington Star*:

34. The original proclamation by Governor Otero calling the convention is in possession of the University of New Mexico. It is dated Sept. 13, 1901.

35. Quoted from the *Chama Tribune* by the *Journal-Democrat*, Aug. 30, 1901.

36. *Journal-Democrat*, Aug. 27, Oct. 5, 1901.

37. *New Mexican*, Nov. 1, 1901.

There are some foolish persons opposed to statehood, who greatly magnify their own numbers and importance when they talk at all, but they are few. The vote at the last election showed this. There always had been such people in every territory seeking admission to the union.³⁸

On the other hand, some who favored the admission of New Mexico were quite ready to admit that they were greatly impressed by the strength of the opposition. Thus Isidoro Armijo, Jr., of La Mesa, said in a letter to the *El Paso Herald*: "It is most surprising to notice amongst those in the opposition the leading merchants, the leading bankers, the leading cattlemen, the leading men, the leading Americans."³⁹

Much of this opposition was doubtless expressed in conversation and went unrecorded. Occasionally an "anti" might give an interview to some newspaper published outside of the territory. Or, if he happened to be an editor who was out of line with the statehood movement he would naturally use his own paper to present his arguments to his readers. But scarcely to posterity. For the most part, the newspapers of the time that have been preserved were the more progressive ones that favored statehood. Hence our information regarding the opposition is largely drawn from unfriendly sources. Unfortunately, pro-statehood editors showed little fairness toward those who differed from them. Human nature being what it is, they thought it more effective, or perhaps found it easier to belittle the motives of the opposition than to attempt an honest appraisal of their line of thought.

This being the case, we can scarcely do more than identify a few men who wrote against statehood, or whose opposition is referred to in the press. To avoid repetition,

38. *Washington Star*. From an undated clipping in the Rodey Scrapbook, p. 26. The interview evidently took place between Dec. 3 and Dec. 10, 1902, as Clancy stated that the Beveridge report was being held for revision.

39. *El Paso Herald*, Feb. 1, 1900.

the arguments advanced by different "antis" will then be summarized together.

One of the most destructive "knockers," according to the *San Marcial Bee*, was A. A. Freeman of Carlsbad.⁴⁰ He was a Tennessean whom President Harrison had appointed associate justice of the territorial supreme court. As he had practiced law in Socorro after his term of office expired, the *Bee* declared "we of Socorro county know the gentleman very well." While confessing great respect for southern gentlemen of the old school, the editor described the judge as "A Moss-Covered Citizen," and denounced him as a "carpet-bagger" and a "self-seeker." In his reply Freeman defended himself by declaring that Coronado, Alvarado, Kearny, Chief Justice O'Brien and a host of others who had played a part in the history of the territory had all been "carpet baggers."⁴¹ His objections to statehood were put in the form of rather striking questions. The *Bee* pronounced them "silly twaddle," but it quoted some of them at least. If Freeman advanced any more serious arguments, they are not given in the papers available. While in the East in 1900, Judge Freeman told a reporter for the *Washington Post*: "As to Statehood, there is a division of sentiment on that question, but I believe a majority of the people favor it."⁴²

Apparently one of the most prolific sources of objections to statehood was S. M. Wharton, editor of the *White Oaks Eagle*. Unfortunately no issue of this Lincoln county weekly is available, or even a single editorial quoted in an exchange. That Wharton was an outstanding opponent of statehood, however, may be surmised from the amount of

40. Editorial from the *San Marcial Bee*, as given in unidentified press clipping in the Rodey Scrapbook, p. 97.

41. Judge Freeman's reply appeared in the form of a letter to Delegate Rodey published in the *New Mexican*, Oct. 14, 1901. In commenting on this letter, the *New Mexican* said "People are struck with the fact that Judge Freeman answers nothing. It is evident that the judge is a great pessimist in politics and judges New Mexico politics by Tennessee or Kentucky politics, in which governors are assassinated, governors legally elected are deprived of their office, men shot down for opinions sake . . ." *Ibid.*, Nov. 6, 1901.

42. *Washington Post*, Oct. 5, 1900.

newspaper space which Bernard S. Rodey used in replying to him. And, fortunately for us, the delegate did not confine himself to flinging epithets—he gave a resume of the arguments he sought to refute.⁴³

The *Red River Prospector* showed less courtesy to J. H. Crist of Monero, Rio Arriba county, who, so the Taos county weekly stated, “has got himself interviewed in the Antonito *Ledger* and says he is opposed to statehood.”⁴⁴ He was reported to have declared that, if an enabling act were passed by congress, he would “go into every precinct in Taos and Rio Arriba counties and oppose the proposition of statehood.” Crist had a previous record as an “anti,” since he had been one of the speakers who had campaigned against the constitution of 1890.⁴⁵ Evidently he was eager to debate the issue eleven years later, but the *Prospector* refused to credit him with sincerity. Old enmities which he had aroused as a democratic politician, as the editor of the defunct *Santa Fé Sun*,⁴⁶ and as the district attorney who had instituted disbarment proceedings against T. B. Catron and Charlie Spiess in 1895 help to account for this attitude. At any rate, the *Prospector* was full of surmises as to his motives. The item, which appeared with the title “One of the Kind who is Fighting Statehood,” was concluded as follows:

Good, we will know from now on where to find Mr. Crist. Perhaps the gentleman is still a little sore over his defeat for the council last fall and therefore, the majority of the people are not competent for statehood. Perhaps, the gentleman knows of certain parties who oppose statehood because they are afraid they will not then be able to dodge paying their honest taxes. Then again, perhaps, the gentleman fears that if New Mexico should become a state that its population would in-

43. See *New Mexican, Journal-Democrat*, and *Las Vegas Record* for Sept. 21, 1901.

44. *New Mexican*, Nov. 11, 1901, quoting the *Red River Prospector*. The Antonito *Ledger* was a weekly published in Conejos county, Colo. This county is just across the Colorado line from Taos and Rio Arriba counties. No file of the paper is listed in *Gregory, Union List of Newspapers*.

45. See the *Review*, vol. XV, p. 167.

46. *Optic*, Aug. 3, 1892.

crease to such an extent that certain politicians would not have as big a pull as they now have. In fact, it is such persons who fear they cannot control wages or have a piece of the political pie, that are fighting statehood.

When one of the most prominent business men in New Mexico gave an interview opposing statehood to the *El Paso Herald*,⁴⁷ he was shown much greater respect. This was no less a person than Jefferson Reynolds, one of the most prominent bankers in New Mexico and a friend of William McKinley since boyhood. Indeed there is little doubt that he had been responsible for the appointment of Miguel A. Otero as governor of the territory only four years before this. Such an opponent of statehood—powerful in both financial and political circles—was not to be sneered at. Consequently pro-statehood papers such as the *New Mexican* and the *Citizen* treated him with discreet silence.

Colfax county in the northern part of the territory seems to have been a center of opposition to the statehood movement. A large proportion of its inhabitants were Anglo-Americans. From time to time there was talk of separating from the Spanish people in New Mexico, and forming a new state with its capital at Raton, or at Trinidad, Colorado. Possibly Captain T. W. Collier, a candidate for the governorship of New Mexico in 1897, was the most influential of these men. As editor of the *Raton Range*, he expressed his opposition with great regularity. Another resident who opposed statehood was M. W. Mills of Springer, who was said to be "the owner of extensive land and stock interests in Southern Colfax county." While in Kansas City, he gave an interview on the question to the *Kansas City Journal*. While the *New Mexican* admitted that he "kept within bounds" in his opposition, it declared that his arguments were "flimsy."⁴⁸ Hugo Seaberg, a lawyer, and Andrew Morton, a banker, were prominent among the signers of "A Petition

47. *El Paso Herald*, Jan. 18, 1901.

48. *New Mexican*, Nov. 12, 1901.

Endorsed by Colfax County, New Mexico, Taxpayers to Be Presented to Congress," which is said to have appeared in the *Optic*. While this is a rather forceful document, statehood papers apparently ignored it, and we have no evidence that it ever reached Washington. Fortunately for us, a copy is preserved in the files of the *El Paso Herald*.⁴⁹

This same paper also mentioned "Don Martin Amador, one of the wealthiest citizens of Carlsbad, New Mexico," as one of the property owners of the territory who opposed statehood because of the higher taxes which it would bring.⁵⁰ The *Herald* added: "It seems that the same sentiment pervades in other sections of the territory as well," and quoted a telegram the editor had received from Roswell.

The arguments of these opponents of statehood may be summarized as follows:⁵¹

Fear of democracy, or "Mexican domination."⁵²

New Mexico is "ring ridden and boss ruled," and conditions would be worse if the bosses could control the election of the governor, judges and other officials. The change to statehood should not be made until "the corrupt ring" which governs the territory is broken.⁵³

Statehood should be postponed until the franchise has been limited by educational qualifications.⁵⁴

49. *El Paso Herald*, Jan. 19, 1901. The two sponsors named are mentioned in the letter of Isidoro Armijo, Jr.

50. *Ibid.*, Jan. 5, 1903. The *Herald* seems to have been quite interested in the opposition to the statehood movement within New Mexico. The *El Paso News*, on the other hand, is said to have published a leading article, administering "a well merited rebuke to the few papers in New Mexico that are working in opposition to statehood for the territory." *Journal-Democrat*, Aug. 30, 1901.

51. The references given are intended to be suggestive rather than exhaustive.

52. Attributed to Editor Wharton of the *White Oaks Eagle*. *Journal-Democrat*, August 30, 1901. Another citizen, R. S. Benson of Florence, N. M., also had a very poor opinion of the voters of the territory. While in the East, he explained to a reporter for the *Washington Post* that the republican party in New Mexico was "burdened with the greasers," while "the many fugitives from justice" that had congregated in the territory were almost always democrats. *Washington Post*, July 4, 1900.

53. See the anonymous letter signed "Fair Play," given at the close of this article. Also *Journal-Democrat*, Oct. 13, 1901; *Optic*, Oct. 8, 10, 1901; *Santa Fe Capital*, Jan. 10, 1903; *Deming Headlight*, July 18, 1903.

54. *Optic*, Oct. 15, 1901.

Under the territorial form of government, property is secure because everything the officials do is subject to revision by the Washington authorities. There would be far less security under a state government, since the majority of the citizens are not tax-payers and are not thoroughly imbued with the principles of free government.⁵⁵

Millions of dollars have come into the territory under Governor Otero's administration, so what is to be gained by our admission to the union?⁵⁶

Statehood failed to stimulate immigration to some of the newer states and it will be the same way with New Mexico.⁵⁷

The maintenance of a state government will increase taxation to a burdensome degree, and will have a depressing effect on business.⁵⁸ Are the people going to sweat and toil any harder and enjoy their heavy taxation, merely because it will enable two excellent gentlemen like Gov. Otero and Delegate Rodey to occupy apartments at Washington as United States senators?⁵⁹

Will statehood cause the falling of any more rain, or the growing of any more grass? Will it rebuild the tumbled walls of hundreds of adobe huts that mark the course of our Nile? Will sheep grow heavier wool or cows more calves?⁶⁰

If a majority of the people desire statehood, then there is no reason for so much whipping in.⁶¹

The "antis" certainly had their fling in the territorial

55. Jefferson Reynolds. *El Paso Herald*, Jan. 18, 1901. The following quotation from the *Raton Range* is given by the *Optic*, Jan. 10, 1894, and is a good illustration of this argument: "If the last New Mexico legislature is a fair example of what this Territory has and will select for its lawmakers, and we believe it was, we are of the opinion that property will be less secure under statehood than it is now. Under present conditions, congress has supervisory authority over the Territorial legislature which exercises considerable restraint over the average assembly. Remove that by making the territory a state, and can any one conceive a bill of any nature that could not have been brought through the last legislature? This is one strong reason why we doubt the advisability of statehood for New Mexico at this time."

56. Attributed to another Carlsbad paper by the *Carlsbad Argus*, June 14, 1901.

57. Attributed to Wharton by the *New Mexican*, Sept. 17, 1901.

58. *Citizen*, Jan. 27, 1902.

59. Judge Freeman. *New Mexican*, Oct. 14, 1901.

60. Attributed to Judge Freeman by the *Rio Grande Republican*, Oct. 25, 1901. This is a quotation from the *Bee*, and is available only as a press clipping in the Rodey Scrapbook, p. 97.

61. Judge Freeman. *New Mexican*, Oct. 14, 1901.

press during 1901. But their freedom of speech was soon taken from them. During the greater part of the following year there was much ground for hope that congress might pass an enabling act at any early date, and it was regarded as treason to say anything that might be capitalized by the opposition. Evidently the statehood boom hushed up most citizens of the territory who remained unconverted. In an interview which appeared in the *Citizen* for February 17, 1902, J. H. Purdy, a Santa Fé lawyer, described the situation as follows:

There is a wide divergence of opinion on the subject of statehood. The talk one hears in public places is largely for statehood, but in quiet places where men talk privately together and "heart to heart," as the phrase goes, grave doubts are expressed that the territory is ready to try self-government.

The events of the following months made men still less inclined to oppose statehood openly. The passage of a statehood bill by the house in the spring led to the coming of a senate committee to the southwest in the fall. New Mexico, as well as Arizona and Oklahoma, must seize this unprecedented opportunity to make a favorable impression on the visiting Solons. These interesting developments lie beyond the scope of the present article, and will be discussed fully later. One piece of testimony taken by the committee, however, as well as a part of the report made to the senate, is pertinent to the present discussion.

The eighty-five citizens who appeared before the committee were examined behind closed doors. Yet it is significant that only one expressed himself as being opposed to statehood. This individual, Martinez Amador, was a volunteer witness who was examined at Las Cruces. After identifying himself as a native of Mexico and a farmer, 64 years of age, he gave the following testimony:

Question—Is there any statement which you want to make to this committee?

Answer—Well, I want, if you will allow me, to make a statement about our population.

My people all belong to the Mexican race. They come from old Mexico, and I think our people is not able now to support statehood, because most of the people here is ignorant; and I do not think we are ready to support statehood yet for about ten years, until our children grow up. We got good schools now, and we send our children to school, and they doing well; but the old residents are mostly Mexicans, you know. You take them in the election time, and you take them what you call the emblem; they go by that, and they do not know who they vote for. They do not know who is on the ticket—the majority of that kind of people. As a consequence, I think there is one great fault of our people—they have not got education, the old timers; the old timers, like me. I never been in the schools, except the primary schools, you know, but I been picking up here and there to know just the little I know now, and that is about all; but I never been in the schools. My children are all well educated. They have been to school in St. Louis and they have been in the schools here. My children, they are able to support statehood and compete with the majority as far as people, you know, but the others, I am very sorry to say it, they are not able to do that.⁶²

The committee evidently regarded this particular witness as a real find, and it was assumed that he represented accurately the inarticulate class to which he belonged. Special attention was called to his testimony in the following section of the report made to the senate:

MANY NEW MEXICANS AGAINST STATEHOOD

In conclusion, the truth must be stated that many New Mexicans do not want statehood. The testimony of Martinez Amador, a Mexican farmer, who (unsubpoenaed and unasked, because unknown to us) sought out the committee at Las Cruces, and who impressed every member with his sincerity, wisdom, and truthfulness, proves this.

62. 57th Congress, 2nd Session, *Senate Documents*, No. 36, vol. 5 (Government Printing Office, 1902), p. 105.

The testimony is pathetic as it is convincing, and we call to it particular attention.

The committee is further convinced that this opposition to statehood for New Mexico is by no means confined to this simple Mexican farmer and the great class for whom he spoke. It is true that no other rancher, farmer, or merchant appeared before the committee to the same effect; but the committee has sound reasons for believing that large numbers of them are earnestly against the proposition of New Mexican statehood. It is not believed that any advocate of New Mexican statehood competent to speak will testify, under oath, that there is unanimity in favor of the proposition even among the most substantial business men, farmers and cattlemen of the Territory.

It is the further belief of the committee that a large portion of the people are indifferent to and ignorant of the question. (Testimony of Martinez Amador, p. 105). If it be said that they voted in favor of it, the answer is that nothing is easier than to appeal to a people like the native New Mexican with a statement that there is something which he has not (and which will be of value to him) in order to make him desire it, without understanding in the least just what it is that he is deprived of. It is a cheap and familiar device, formerly used in our own States, but now happily abandoned before the enlightenment and independence of civic action which comes with increased education and highly developed civilization. If it be said that this argument is not sound, the answer is that the people have more than once rejected a constitution for statehood.⁶³

Little did this Spanish-American citizen realize, when he gave his testimony, that ten years would really pass before New Mexico was admitted to the union. He never lived to see the day. In a little over three months he was dead. His widow wrote Senator Beveridge:

I doubt not but what the disease that carried him off was brought on by the constant worry and

63. 57th Congress, 2nd Session *Senate Reports*, No. 2206, vol. 1 (Government Printing Office, 1902), part 1, pp. 29-30.

mental strain caused by those who declared themselves his bitter enemies, for the truthful testimony rendered unsolicited by him to the commission of which you were a prominent member.⁶⁴

Meanwhile all hopes had been lost that the fifty-seventh congress would admit any of the southwestern territories.⁶⁵ Five or six months later the *Journal-Democrat* printed an anonymous letter signed "FAIR PLAY." At any other time, it would probably have been suppressed, but at the moment the editor probably decided that it would do no harm. Consequently it appeared as follows:

THE OTHER SIDE

*A Citizen of New Mexico Who Has No Enthusiasm for
the Cause of Statehood*

Editor *Journal-Democrat*

In Sunday's issue of the *Journal-Democrat* there appeared the following editorial paragraph:

"There never was a fight made for the rights of

64. Mrs. Martinez Amador to Senator Beveridge, March 20, 1903. Amador died Feb. 27, 1903. The *Washington Post*, a strong champion of the admission of the southwestern territories, evidently referred to him in the following "anecdote":

"Senator Beveridge is charged with causing an aged farmer down near Las Cruces to receiving a terrible beating.

"When the statehood subcommittee went through 'that neck of the woods' they tarried to take testimony. Some witnesses had been subpoenaed. Others pressed forward in the grand cause. Close to the door was an aged farmer, who eyed the 'senator men' from Washington in wonderment.

"See that that old duffer don't get a chance to testify,' said one of the busy New Mexican workers to an official of the subcommittee. 'He's cranky,' which Pickwickian observation was accompanied with a wise wink and a slight tapping of the head.

"However, when the Indiana Senator asked if anyone else wished to be heard, the aged farmer, who told the Senators he was born in old Mexico, pressed forward. There was nothing to do but let him talk. He launched into a diatribe against Statehood.

"The incident has been brought fresh to mind since Congress took a recess by a report from Las Cruces that when the old farmer returned to his domicile his good wife met him at the threshold and administered a sound beating. The neighbors took it up, siding with the Amazon, and there have been veritable hot times for that aged Mexican around his own hacienda." *Ibid.*, Jan. 5, 1903.

65. The Durango (Colo.) *Evening Herald* for Jan. 15, 1903, referred to secret opposition within New Mexico as follows: "It is reported that certain New Mexico officials, while outwardly working for statehood, are secretly opposing admission, as it would cost them their positions. Such policy does not reflect much credit on the honor of the aforesaid individuals."

the people, where the people themselves apart from the press, did so little to help their own cause along, as the people of New Mexico have done for themselves in the statehood fight."

The reason for this apathy on the part of the people is so obvious that it is strange you did not complete the statement by adding: for the reason that statehood is not wanted by the people. That is the logical conclusion of the paragraph, and also the real sentiment of the voters in the territory, aside from a small number of politicians and their parasites who see in statehood greater opportunity for plunder than under a form of government where national supervision interposes some restraint, no matter how ephemeral or fictitious that restraint is.

It is true that for three years past the noise made by statehood agitators has been louder than ever before, yet the fact remains that the demand for admission to the union has not come from the solid, conservative element of the people. The "fight made for the rights of a people" has been made by the press of the territory and not by the people, as it should have been, and will have to be, before statehood will be granted. The editors of New Mexico are, as a rule, bright men, and it is strange they have been so easily hoodwinked into misrepresenting the opinions and desires of the voters on this subject. If a canvass were made of the territory and the opinion of each man secured—not an opinion for publication, but the honest wish given in confidence—there would be little or no more cock-sure editorial writing concerning the demand made by the people for statehood.

The reason for the failure of the people to grow enthusiastic over statehood is easily found.

Bernalillo is not the only county in the territory where public affairs are conducted by a ring, the boss or bosses of which look upon the public office as a "private snap." There are so many others that New Mexico is ring ridden and boss ruled. Rumor even goes so far as to insinuate that should a fearless man go to Santa Fé and institute an investigation into territorial affairs the jar of dodging stunts would loosen the foundation

of the capitol, and that building would no longer be a safe place of meeting for New Mexico's marvelous legislatures. The thinking portion of New Mexico's business men, ranchers, and miners, reason something after the following manner:

If, under a territorial form of government, such conditions obtain, what would they be if all supervision and restraint were removed, and the bosses could control the election of the governor, district judges, and all other officials? A question, by the way, which ought to make Delegate Rodey take a second thought for once on the statehood question, and cause territorial editors to cease bemoaning the fate of disfranchised thousands.

In many places it has been assumed that those opposed to statehood are few in number because they have not been vociferous in their opposition. While this silence—except in numerous instances where quiet work has been done in Washington—had had the effect of giving apparent unanimity to the "hollering" of the delegate and press of the territory, it has been caused and secured by the brutal methods adopted by the senatorial toga hunters and political bosses to prevent disaster overtaking their ambitions, and not from any desire on the part of the people for statehood. Men have no desire to be publicly denounced as traitors, snakes-in-the-grass or carpet-baggers, no matter what the source of denunciation may be, and the fear of such malicious vilification keeps hundreds quiet who would openly oppose statehood were there fair treatment accorded those honest in their doubt as to the advisability of the proposed change. However, the silence thus procured is as fatal in the end as open hostility.

The fact that corrupt commonwealths are already states is no argument for the admission of another rotten member into the union, although the statehood boomers would have it appear so. Under honest conditions and honorable officials the people of New Mexico would welcome the admission of the territory as a state, but until such time as good government leagues can bring about much needed and desired changes, and examples be made of plunderers, boodlers, and bribe-givers and takers as

will assure honest and equal enforcement of law, they are willing to live under a territorial form of government.

If the editors of New Mexico really desire help from the people in securing statehood, there is one way to secure that assistance; let them join hands in a fight for honesty in public life; for the election of none but men of fitness, ability and integrity to office, and when that has been accomplished there will be no difficulty encountered in securing individual statehood for New Mexico.

FAIR PLAY ⁶⁶

While the statehood boom at the beginning of the century failed to bring about the passage of an enabling act by congress, it did much to accomplish one thing. The opposition within the territory was largely suppressed, although the Deming *Headlight*, true to its old traditions, continued to publish editorials on "Why Statehood Is Not Wanted by the Intelligent People of New Mexico." Meanwhile a new phase of the movement developed during which it was proposed to admit Arizona and New Mexico as one state. During the decade that passed before congress finally conferred separate statehood on the territories, citizens of New Mexico frequently expressed themselves as opposed to "joint statehood." Almost invariably, however, they explained that they favored statehood, but were opposed to a union with Arizona. The present study then closes with the year 1903, as during the remaining nine years of the territorial period there is little available evidence of the kind of opposition we have been considering.

66. *Journal-Democrat*, August 18, 1903.

67. Deming *Headlight*, June 27, 1903. The *Headlight* declared "Many of our people feel grateful to Teddy for beating statehood, but as he did this work under cover, there is no special reason for special demonstration of this feeling of gratitude." *Ibid.*, April 11, 1903. When the *Citizen* appealed to the people of Luna county to rebuke the *Headlight* for its opposition to Statehood, that paper assured editor Hughes "four fifths of the voters of Luna county are opposed to your statehood schemes." *Ibid.*, Sept. 19, 1903.

THE CORONADO-BOCANEGRA FAMILY ALLIANCE

By LANSING B. BLOOM

AS THE first white man who entered and explored the country of the Pueblo Indians, Don Francisco Vázquez de Coronado will always be a figure of great historic interest in our Southwest. He and his army left the land of Cíbola after spending two winters in this region but they left behind them among the natives a first acquaintance with manners and customs very different from their own. On the other hand Coronado and his men, back again in "the land of Christians," forgot much of the hardships they had experienced and started a tradition of "the new country" (as it was popularly called) which was to endure through the next half century until colonization began.

During our search in 1938-39 at the Archivo de Indias in Sevilla for documents relating to Vázquez de Coronado, we came across a curious paragraph in a letter of 1563 to the king which revealed a close alliance between Coronado's family and that of Hernan Pérez de Bocanegra.¹ This clue led to other "Bocanegra" documents and so to a rather curious bridging of that half century of New Mexico history which lay between its discovery by Coronado and its first colonizing by Don Juan de Oñate.

Francisco Morales was *relator* of the Audiencia in Mexico City. He had come to the Indies in 1537, and in his old age it was his predilection to keep the king informed of conditions and events in the colonies. In this closely written, six-page letter of May 17, 1563, he discusses various cases of *encomenderos* who (in his opinion) have acquired their holdings contrary to law—holdings which properly should revert to the crown.

1. AGI, Mexico 97, LBB title 528a. The references thus cited are to photostatic copies in the Coronado Library, University of New Mexico. The Spanish text of this letter may be found also in *Colección de documentos inéditos para la historia de Ibero-America*, I, 357-368.

The treasurer Alonso de Estrada (who served as governor of New Spain while Hernán Cortés was absent) gave one daughter in marriage to Jorge de Alvarado; and a son of the same name had inherited very rich properties including the *repartimiento* of his father. And Morales continues:

Moreover the same treasurer and governor, Alonso de Estrada, left another daughter who was married to Francisco Vázquez Coronado, whom Don Antonio de Mendoza brought from Spain; and although she was the wife of a governor of New Galicia and daughter of a governor of New Spain, they gave her a *repartimiento* called Tlapa and its subjects, the revenue of which is worth 3,000 pesos [a year], and notwithstanding this, Don Antonio de Mendoza gave to Francisco Vázquez the Indians, an allotment worth more than 5,000 pesos, which had belonged to Juan de Burgos, and although Your Majesty did not wish to approve that encomienda since it was by way of withdrawal [by Burgos],² yet these two allotments have been, and are being held, one by the daughter of Francisco Vázquez and her husband Bernaldino de Bocanegra, and the other by Doña Beatriz,³ all contrary to law and both allotments belonging [of rights] to Your Majesty for the reasons stated.

Moreover Hernán Pérez de Bocanegra, father of Bernaldino, has another rich allotment which, without his being a *conquistador*, former governors turned over to him by release [of the previous owner], and he has a second son named Nuño de Chávez who married a second daughter of Francisco Vázquez de Coronado and they all claim that he [Nuño] must succeed to the Indians and allotment of his father, and [there is] a third son of the above said who married a third daughter of Francisco Vázquez. They claim, and have made an agreement and contract that he [the third son] should succeed to the pueblo and allotment of Tlapa, though all three of the allotments have been and are for the said reasons [properties] of the royal crown and no one of

2. Burgos petitioned Viceroy Mendoza for permission to surrender this encomienda in favor of Vázquez Coronado; on 14 October 1536 Mendoza approved and gave the permission asked, subject to approval by the king. *Indice de documentos de Nueva España* (Mexico 1932), IV, p. 594. Morales was not aware that the transfer was confirmed by a royal cedula. AGI, Mexico 1088, libro C-3, LBB title 800.

As to Tlapa above, Morales is corroborated by a listing of encomiendas drawn up in 1560. Paso y Troncoso, *Epistolario de Nueva España*, IX, p. 36.

3. Estrada's second daughter, widow of Vázquez Coronado.

them [the claimants] can have, possess, nor inherit them by the death of anyone of the owners.⁴

The fact that three sons of a single family married three daughters of Francisco Vázquez de Coronado was enough to fix our attention on this Bocanegra family as a possible lead for the finding of more information about Coronado himself. And as the search in the Archive continued, various Bocanegra documents were photographed for later study.

It now appears that, as Vázquez Coronado had come to Mexico City in 1535 in the train of Viceroy Antonio de Mendoza, so Hernán Pérez de Bocanegra had arrived nine years earlier (1526) in company with Luís Ponce de León.⁵ Those who knew him testified that Ponce treated Pérez as a relative, a tie further indicated by the name of Pérez' third son.

Ponce de León died the next year, and the treasurer Alonso de Estrada who shortly became acting governor, thought so highly of Pérez that he made him an *alcalde mayor*.⁶ In 1529, Pérez married Doña Beatriz Pacheco, daughter of a *conquistador*, Francisco de Chaves.⁷

We find Pérez as one of the two *alcaldes ordinarios* of Mexico City in 1537; the cabildo made him one of the two *alcaldes de mesta* the next year while Vázquez Coronado secured the office of one of the four new aldermen when this was resigned in his favor by its original holder, Francisco de Santa Cruz.⁸ It appears that there were sixteen aldermen altogether, half of whom were appointed by the king and the others by the governor or viceroy. The office secured by Coronado belonged to the former class, and his title was con-

4. Nevertheless Tlapa seems to have remained in the family at least to the fourth generation. Dorrantes de Carranza, *Sumaria relación de las cosas de la Nueva España* (Mexico 1902), p. 285, tells us that a "Don Alvaro has the encomienda of Tesapa which belonged to his great-grandfather the Governor Francisco Vázquez de Coronado." "Tesapa" was evidently a misprint or a misreading for "Tlapa."

5. AGI, Mexico 97, LBB title 526, "Facultad a Hernán Pérez de Bocanegra para fundar mayorazgo en la Ciudad de Mejico."

6. *Ibid.*, testimony of Bernaldino de Castillo.

7. *Ibid.*, testimony of Antonio de Olívez. See also F. A. de Icaza, *Conquistadores y Pobladores de Nueva España*, No. 435.

8. Cavo, *Los Tres Siglos de Mejico* (Mejico, 1852), pp. 23, 38, 39.

firmed by the king in the following document, dated at Toledo on March 29, 1539.⁹

Don Carlos, by the grace of God always august Emperor [and] King of Germany; Doña Juana his mother and the same Don Carlos, by the same grace, Kings of Castile, of León, of Aragón, of the Two Sicilies, of Jerusalem, &c. &c.

In order to do benefit and favor to you, Francisco Vázquez Coronado, recognizing your sufficiency and ability and the services which you have done for us and which we hope that you will do for us in the future, and in some return and remuneration therefor, it is our favor and good will that, now and henceforth so far as it be our pleasure, you be our *Regidor* (alderman) of the City of Mexico in New Spain in place of, and by the resignation of the said office made in your favor by, Francisco de Santa Cruz, *regidor* of the said City. For he so besought us by a petition and resignation which he sent, signed by his name and notarized by a public scrivener. And do you use the said office in the matters and things thereto pertaining, and by this our letter or by a copy of it signed by a notary public we command the council, court and regidores, knights, squires, officials and [all] good men in the said City that, together in their *cabildo* and *ayuntamiento* according to their usage and custom, they take and receive from you, the said Francisco Vázquez de Coronado the oath and avowal which is required in such a case and [which] you must make; and when this has been done by you, that they have, receive, and hold you for our *Regidor* of the said City in place of the said Francisco de Santa Cruz, and that they proceed with you in the said office in the matters and things thereto pertaining and that they accord to you, and see that you are accorded, all the rights and salaries

9. AGI, Mexico 1841, LBB title 515, ff. 3v-5r.

A. S. Aiton in his "Later Career of Coronado" (*American Historical Review*, XXX, 298-304) seems unaware of these two classes of *regidores*, and also of the fact that a *real provisión* could be, and often was, issued by a viceroy as if he were the king himself. Dr. Aiton brings out the interesting fact that, on the viceroy's request, Coronado was seated as a *regidor* by the *cabildo* at their meeting on June 14, 1538, but this simply means that they recognized that the king's appointee had renounced the office in favor of Coronado. The *Actas de Cabildo*, as printed in 1859 and quoted by Aiton, have an error in date. As appears by the document here given, the king's confirmation of the transfer was dated at Toledo on March 29, 1539 (not March 21). From the same source, Dr. Aiton notes that the king's confirmation reached the *cabildo* on October 13, 1539. Coronado may have accompanied Fray Marcos de Niza on his return to Mexico, arriving there late in August after the friar's famous journey to the "Seven Cities of Cibola."

and other things pertaining to the said office, and safeguard to you, and see that you are safeguarded in all the honors, favors, grants, franks and liberties, preeminences, prerogatives and immunities, and all the other things and each one of them which, by reason of the said office, you ought to have and enjoy and [which] must be safeguarded for you according as was done for our other *regidores* in the said City, fully well and completely in such manner that you may not lack anything, and that in [the office] nor in any part of it they do not place for you, nor allow to be placed, any embargo or obstacle.

Wherefore by this present [letter] we receive you, and hold you for received to the said office and to the use and exercise thereof, and we give you power and authority to use and exercise it in case that by them or by any one of them you should not be received therein. We are making you the said grant with the proviso that you are not now a crown cleric and if at some future time it should appear that you are or had been such, by this mere fact without any other decision or pronouncement you have lost and do lose the said office. Likewise it is provided that you have to appear, and do appear, with this our letter in the *cabildo* of the said City within fifteen months of the date thereof, and if you should absent yourself from the said City for eight months without our permit (unless you are away on matters of our service or on matters decided by the city) likewise you have lost the said office. Do not the one nor the other in any manner.

Given in the City of Toledo on the 29th of March, 1539. I the King. (And I, Juan de Samano, secretary of their Caesarean and Catholic Majesties, caused it to be written at their order &c.)

And endorsed on His Majesty's *real provisión* were the following names and signatures: Doctor Beltrán; Licenciante Juares de Carvajal; Doctor Bernal; Licenciante Gutierrez Velásquez. Recorded [by] Juan de Paredes for the Chancellor Blas de Saavedra &c.

The archive from which we are quoting gives not only the above record of how the *regimiento* came to Coronado, but immediately following we learn how he in turn passed the office on to the betrothed of his eldest daughter who was then about fifteen years of age.¹⁰

10. In 1554 Bernaldino de Bocanegra was about twenty-two years old.

Sacred Caesarean Catholic Majesty:

I, Francisco Vázquez Coronado, citizen and *regidor* of the great City of Mexico in New Spain, state that Your Majesty was pleased to make me the grant of the said *regimiento* of the said City of Mexico, in which I have served Your Majesty but at present I cannot do so as I desire, by reason of the infirmities from which I am suffering; wherefor I am renouncing the said *regimiento* in favor of Bernaldino de Bocanegra, citizen of the said city, who is a well known *caballero hidalgo* and an able and sufficient person who can exercise [that office] in the service of Your Majesty. Therefor I pray your Majesty to be pleased to grant him the said *regimiento* and in the meantime that Your Majesty might not be so pleased I am retaining [the office] myself, to continue serving Your Majesty therein according as I should and am obligated to do, and I so grant it [the *regimiento*] as stated. In the said City of Mexico, before Pedro de Salazar, one of the notaries public of that city, on the 21st of June in the year of the birth of our Lord Jesus Christ 1554. And I signed it with my name, there being present as witnesses Gonçalo Nuño and Rodrigo Bezerra notary of His Majesty and Alonso de Medina, they being in the said City of Mexico.

And the said Francisco Vázquez de Coronado declared and said that the said Bernaldino de Bocanegra was betrothed with Doña Ysabel de Luxán, legitimate daughter of him and of Doña Beatriz de Estrada his legitimate wife. (witnesses, the above named) (signed) Francisco Vázquez de Coronado. Certified by me, Pedro de Salazar, notary public; and I Pedro de Salazar, one of the notaries public for His Majesty in this said City of Mexico, who was present and who know the grantor, affixed my seal in testimony of truth. Pedro de Salazar, notary public.

From the archive in which the above two documents were embodied we learn the following facts: that Coronado continued to serve as *regidor* until his death which occurred in Mexico City on September 22, 1554; that on November 9, Hernán Pérez de Bocanegra (Bernaldino's father) began steps to secure royal confirmation of the *regimiento* for his son—but that this had not been effected up to April 22, 1557. It appears also that the marriage of Bernaldino and Doña Isabel was not consummated until after Coronado's death, yet they had been married some time before April 1557.

The immediate occasion for this document, however, was the fact that young Bocanegra, in April 1557, had been condemned by the Audiencia to five years of exile from Mexico; three years from the court and city of Mexico and its environs and two years more of exile from all of New Spain, for having killed Juan Ponce de León.¹¹ Don Bernaldino sent a "power of attorney" to Luis Alfonso de Estrada¹² and to his sister Doña Leonor Ponce de León,¹³ both of them residents in Castile. He charged them (either or both) with two matters: (1) to get the sentence of banishment removed by the king; and (2) to secure from the king confirmation as *regidor* in succession to his father-in-law—or if by chance that office had now been given to another, that he be given another *regimiento* in the same body.

As the first matter involved an alleged crime, doubtless it had to be taken up first, and doubtless it was handled successfully; at least, three years later, the young blade was back in Mexico City.

The second matter was brought to the king's attention by Estrada in Valladolid on January 7, 1558, and a notation shows that it was referred to the Council of the Indies for advice. The principal document in this case is a *probanza* started by the father before the Audiencia of Mexico on November 9, 1554, less than two months after Coronado's death. Following the regular procedure in such matters, Don Hernán submitted a list of twelve questions to be asked each of the witnesses whom he offered. The first questions were to show whether the witnesses knew or had known, the parents, and that Bernaldino and Isabel were of legitimate birth; then they were to answer:

(6) Whether they knew that the said Francisco Váz-

11. Icaza, *op. cit.*, No. 205, lists a Juan Ponce de León, *conquistador*, as of about the year 1551, who may be the one who met violent death. No details are given, but the family name suggests some relationship.

12. Evidently a powerful relative of his young wife. Coronado's father-in-law had been the well known Alonso de Estrada.

13. Widow of Don Alonso de Montemayor. When he wrote the letter, Bocanegra was in Çacojuca (Zacatula?) already in exile it would seem.

quez de Coronado, deceased, was a prominent *caballero hidalgo*, a very distinguished person in New Spain and governor of New Galicia, and had given very distinguished service for His Majesty in the discovery of Cíbola, where he had gone as captain-general and in many other commissions in the service of His Majesty and [that] the said Doña Beatriz de Estrada is legitimate daughter of Alonso de Estrada who was governor for His Majesty in this New Spain.

(7) Do they know that the said Governor Francisco Vázquez de Coronado, for many years and until he died, was a *regidor* for His Majesty.

(8) Do they know that the said Francisco Vázquez de Coronado died and passed from this present life on the night of a Saturday which was accounted the 22nd day of September of this year of '54 and do his witnesses so know because they saw him dead and buried.

The concluding questions were to establish the distinguished rank and services of Hernán Pérez; also that his son was betrothed with Doña Isabel and was a *caballero* 22 years old, well esteemed and of good judgment and understanding, and well qualified (if the king so pleased) to assume the office formerly held by Coronado.

This document had been concluded in December 1554 and no reason is shown for the delay of over three years which followed. But the efforts of Bernaldino's agent in 1558 must have been successful in this matter also, for in our next records he is a *regidor*.

In 1561, the father, Hernán Pérez de Bocanegra was seeking royal permission to create a *mayorazgo* from his properties both in New Spain and Old Spain,—an entailed estate for his "oldest son" and the corresponding heir in each later generation. Because of the connections shown between the Coronado and Bocanegra families and because this is a good example of such a procedure, an analysis and partial translation is here given.¹⁴

14. AGI, Mexico 97, LBB title 526: "Facultad a Hernán Pérez de Bocanegra para fundar mayorazgo en la Ciudad de Méjico." A complete translation would run to a hundred pages.

Authority to Hernán Pérez de Bocanegra for founding a *mayorazgo* in the City of Mexico.

This *expediente* consists of four parts: (1) the brief petition addressed by Bocanegra and his wife to the king, accompanied by (2) the *Información de officio*, taken before a designated member of the Audiencia of Mexico; (3) the *información de parte* (which in procedure came before that *de officio*); and (4) the brief favorable recommendation by the Audiencia to the king.

1. Royal Caesarean Majesty:

Hernán Pérez Bocanegra and Doña Beatriz Pacheco his wife, residents of the City of Mexico and among the early settlers of the said province, state that they have served Your Majesty as good and loyal subjects in every way that has offered in that Kingdom for more than twenty years until now, as Your Majesty will see by certain testimonials and informations which they present; and it is thus that, to keep their [services] in memory and so that their successors may better serve Your Majesty, they wish to entail their goods and property—both those which they have and may have in Spain as in New Spain, and from them to create a *mayorazgo* for Bernaldino Pacheco de Bocanegra, alderman of the said City of Mexico and their son, and (in case of his default) for some other of their sons or descendants; and since in them [the petitioners] there are present the requisite qualities for such a matter—as will appear from the said informations—wherefor they ask and pray Your Majesty to show them grace in ordering that they be given the said permission and authority in the form and manner usual when Your Majesty orders the issuing of such permits and as have been given to other residents of that city and province, so that they may make the said entail and *mayorazgo* of all their said properties, or of such part of them as they wish, for the said Bernaldino Pacheco de Bocanegra or in case he is unavailable for whichever other son or heir they may select, notwithstanding that they may have other sons and heirs. And in this Your Majesty will do them favor. (rubric)

Turning this leaf, we find the following record made after the papers reached Spain, a record in four different handwritings:

(endorsed): "Hernán Pérez Bocanegra and Doña Beatriz Pacheco"//

(again:) "To Sr. Doctor Francisco Hernández"//

(again:) "Give it to him" (*désela*)//

(again:) "Let the authority be sent to him in the accustomed form to make a *mayorazgo* of his properties."¹⁵

2. Information *de oficio* taken in the royal audiencia of New Spain as to the quality and merits of Hernán Pérez de Bocanegra. To be brought before His Majesty in his Council of the Indies.

In the City of Mexico on April 20 of the year 1562, the señores president and judges of the Audiencia of New Spain being in session (*en el acuerdo*) attended by me, Pedro de Requena, scribe of the chamber in the said Royal Audiencia, they said that, on behalf of Hernán Pérez de Bocanegra, resident of the said City of Mexico, it has been asked that an information be received as to the quality and merits of his person and of the fact that he is a *caballero*, an *hijodalgo*, and that he has served His Majesty in these parts on all occasions which have offered as his good vassal, and that he has his house peopled with his wife and many children, and also has, and generally has had, in his house many persons of nobility and quality, and his Spanish *criados*, arms, and horses for the service of His Majesty, all in great abundance; and that from having so many expenses and small revenue he cannot maintain himself according to his quality. And so of all this he intends to advise His Majesty so that he may make him remunerative grants, and it has been ordered that the said information [*de parte*] be received. And since moreover this Royal Audiencia has been directed to take an information *de oficio* for the better determining of what therein may appear, they ordered that the said *información de oficio* be received before the judge Doctor Villanueva, and that it

15. These endorsements are understandable if we visualize the procedure. Neither the king himself nor his Council of the Indies could give immediate attention to all the many and voluminous documents which were continuously coming in from all of Spain's colonies. Such a document as this, therefore, would on receipt at the court, be referred first to a *relator* or perhaps (as here) to one member of the Council; the former would prepare a digest or summary for the convenience of the Council, the latter would go further—reporting back with his own opinion or recommendations. The king's decision is indicated by "Give it to him"; and the last endorsement was routine—to make that decision effective.

be brought, upon completion, before the Audiencia for the giving of their *parecer*. And so it was ordered. Pedro de Requena, clerk.

Following this preamble, record follows immediately (in a different handwriting) of the *información de oficio* which was begun four days later (April 24, 1562). But it will be best to follow the actual procedure by turning next to the 3rd part of the record. Here we find that Bocanegra had given his "power of attorney" to his son Bernaldino more than ten months earlier (7 June 1561); and it was the latter who brought the case before the Audiencia and arranged for the *información de parte*, submitting the list of questions to be asked and witnesses to testify on their behalf. This part of the *probança* begins with a similar but shorter preamble:

3. In the City of Mexico on April 20 of the year 1562, the president and judges of the Royal Audiencia of New Spain being in session, and I, Pedro de Requena, clerk of the chamber being present, appeared Bernaldino Pacheco de Bocanegra, resident and alderman of the said City of Mexico, in the name of Hernán Pérez de Bocanegra his father, resident of the said city, and presented a petition with certain questions and the *poder* which he had from his father, their tenor being as follows:

(text of the *poder* or "power of attorney" follows in the usual verbose and legal form, dated at Mexico City on 7 June 1561, and certified by Pedro Sánchez dela Fuente, *escribano*. Next is the list of questions to be propounded:)

Very puissant señor

I, Hernán Pérez de Bocanegra, resident of this City of Mexico, state that it is in accord with my right to inform Your royal person of how I am a *caballero* well known and *hijodalgo* of house and land, known according to the *fuero* of Spain, and [also] how I have served, and the time I have employed in serving, the royal crown of Castille, so that I may be given some remunerative grants. Wherefore I ask and pray Your Highness that an *información* thereof be received from me before one of your judges (the *fiscal* being

present) and that the witnesses be examined by the following questions:

1. Let them be asked first whether they know Hernán Pérez de Bocanegra and how long have they resided in New Spain. Let them state what they know.

2. Do they know that the said Hernán Pérez came to New Spain thirty six years ago a little more or less, together and in company with Luys Ponce de León who was your first governor of this New Spain.¹⁶

3. Do they know that the said Hernán Pérez from the said time until now has continuously had and maintained many arms and horses, and many *caballeros hijosdalgo* and persons of other qualities so that they should remain in the service of His Majesty in the pacifying of this land, in which he has spent a great sum and many thousands of gold pesos from his own goods and property. Let them state what they know.

4. Do they know that the said Hernán Pérez in the conquests and pacifying of New Galicia and Jalisco was engaged with his arms and horses, and served as captain well and loyally and no one excelled him in the service of His Majesty, and he spent on his own expenses and equipment a large amount of money supporting soldiers in the war. Let them say what they know.

5. Do they know that, at the time when the Indians of Jalisco took refuge in the cliffs and rose in revolt against the Spaniards and against the royal crown of Castille twenty years ago a little more or less, the said Hernán Pérez de Bocanegra set out from this city of Mexico with the viceroy Don Antonio de Mendoza of good memory, designated and appointed captain of cavalry and served in the said pacification as a good knight and captain and expended of his own property a large amount of money. Let them state what they know.

6. Do they know that, at the time when the viceroy Don Antonio de Mendoza of good memory had men of war enlisted here in New Spain to send to Peru to succor the Maestro dela Gasca against Gonzalo de Pizarro and against the soldiers of the rebellion about fourteen years ago a little more or less, the said viceroy was sending his son Don Francisco de Mendoza with the post of captain general and the

16. As already noted, the third son of Hernán Pérez had the same name as this "first governor" of New Spain.

said Hernán Pérez de Bocanegra was appointed by the said viceroy as captain of cavalry, in which all the people were enlisted and outfitted in a very splendid way together with two of his sons and, although the expedition was not carried out, he expended many thousands of pesos. Let them state what they know.

7. In what is indicated in the questions before this one, do the witnesses know, and believe, and hold it for certain, that the said Hernán Pérez de Bocanegra will have spent and been able to spend 50,000 *castellanos*. Let them say what they know.

8. Do they know whether it is thirty three years more or less since the said Hernán Pérez de Bocanegra married according to the law of the holy Mother Church with Doña Beatriz Pacheco his wife¹⁷ and during their married life they have begotten and had many legitimate children, of whom at present six survive, and they have served His Majesty as opportunity has offered; that they have been and they are very ready and well equipped with many and very good horses and arms to be and do likewise whenever opportunity to serve may offer.

9. Do they know that the said Hernán Pérez is a well-known *caballero* and *hijodalgo* of house and land, native of Córdoba, legitimate descendant of very noted *caballeros* and titled lords and has been treated as such and is and has been had and held in general respect in this New Spain and in the kingdoms of Castille.

10. Do they know that the said Hernán Pérez Bocanegra merits the granting of *mercedes*, which will be well employed on him and on his said sons.

11. Do they know that [all] the above and every item thereof is public and notorious.

The petitioner closes with a request that, after the *información* has been taken, he be given a certified copy of it and of the *parecer* of the audiencia with which he may bring the matter before His Majesty and the Council of the Indies: and the scrivener Juan López then certified (Mexico, 20 April 1562) that Bocanegra had presented the above

17. Doña Beatriz was daughter of Francisco de Chávez and of Doña Leonor Cabrera de Sosa his wife who was a lady in waiting of Queen Juana of Portugal. Dorantes de Carranza, *op. cit.*, 284.

petition before him so that it might be brought before the audiencia.

The said petition and *interrogatorio* of questions having been presented [in the audiencia] and the said president and judges having seen them, they said that they were ordering, and did order, that, with that judge officiating whose weekly turn it was, His Majesty's attorney should take and receive the said *información*. And they so ordered. Pedro de Requena.

The record then indicates (as of April 20—the same day on which Bocanegra presented his petition) that the “muy magnífico señor Doctor Villanueva” should have taken this *información*; but he was busy on matters “convenient to the king's service and the execution of justice” and therefore directed a king's scrivener, Juan López Tavera, to conduct the questioning of Bocanegra's witnesses. López qualified on the 22nd before the *fiscal* of the Audiencia, Doctor Sedeño; and next day the hearing was held.

The first three witnesses questioned were Cristóbal de Oñate, Pero Nuñez, and Gonçalo Gomes. Their testimony was a routine affirming of the facts propounded in the *interrogatorio*, but some supplementary details of interest may be gleaned.

Oñate at this time was about sixty years of age and was not a relative of Hernán Pérez Bocanegra. The latter and Luís Ponce de León, who had been first governor of New Spain, “treated each other like cousins.”

Pero Nuñez had known Hernán Pérez from his infancy “in his father's home in the city of Córdoba and in the villa of Marchena,” and knew that he had come to New Spain thirty-five or thirty-six years ago—because he himself had come in his company; and Nuñez was now about eighty-six years old. Both of them came with Luís Ponce de León when the latter was sent as governor of New Spain; and Ponce and Pérez acted like relatives and were so regarded. He was present at the marriage of Pérez with Doña Beatriz Pacheco in Mexico City about thirty-three years ago; also he knew his parents and his grandparents both paternal and maternal, and knew that they were closely related to the Duque de Arcos and the Conde de Palma and to other chief nobility of

Córdoba, because this witness was a *criado* of the Marqués de Caliz and of the Duque de Arcos who succeeded in the *señorio* and (who) had much dealings and friendship with his grandparents both paternal and maternal, so he knew that [Pérez] was related to the Duque de Arcos and to the Conde de Palma and to many principal knights of Córdoba. Moreover Pérez was reared as a relation in the house of the Duque de Arcos, well treated by him and by his wife Doña Isabel Pacheco. Other *criados* in the house of the Duque de Arcos were his brothers Alonso Hernández de León and Luys Ponce de León. Any *merced* by His Majesty to Pérez and his sons would be well placed.

Gonçalo Gomes was about sixty-five years old and was not related to Pérez whom he had known for about thirty-five years, since he arrived from Castile. The witness had participated in the pacifying of Jalisco and testified to the good services of Pérez as a Captain of cavalry. He knew that Pérez had been married in Mexico with Doña Beatriz Pacheco at the time stated and they had had many children, of whom he (Pérez) had three sons in this city and had sent to Spain two others and Doña Leonor, widow of Don Alonso de Montemayor (who is in Castilla if she is alive), besides other children who have died. The two sons who are in Spain, as is well known, are studying at Salamanca so as to serve His Majesty as *caballeros* and *letrados*.

Continuing the *información de parte* and acting for his father, Bernaldino de Bocanegra, next offered as witnesses Bernaldino del Castillo, García Alonso, Pedro de Solís, and Antonio de Carvajal, who were all duly sworn.

Castillo was about 60 years old, had been a page of the Duque de Arcos and had known Hernán Pérez for about forty years. He was neither his relative nor an enemy. After the death of Ponce de León and while Alonso de Estrada was governor of this land,¹⁸ the latter appointed Pérez *alcalde mayor* because of the great confidence he reposed in him.¹⁹

18. Luís Ponce de León, with whom Hernán Pérez had come to Mexico and for whom his third son was named, had served as "first governor" for only a short time. He died in July 1526 and Licenciado Marcos de Aguilar became acting governor; but he also died within a few months and the treasurer, Alonso de Estrada succeeded him. He served as governor from March 1527 until the first audiencia arrived the following year.

19. This appointment of Pérez has not been noticed elsewhere. It is not in Cavo, *op. cit.*

García Alonso was about forty-eight years old, and had known Pérez for about forty years. He had known Bernaldino de Bocanegra, father of Hernán Pérez, who was regarded as a relative of the Duque de Arcos.

Pero de Solis was more than sixty years old and had known Pérez for about thirty years and was not related to him. Ponce de León had treated Pérez as a relative.

Antonio de Carvajal was about sixty years old and had known Hernán Pérez since he came to New Spain with Luys Ponce de León. He regarded them as relatives, and held Pérez to be "a good Christian and servant of His Majesty."

(Certification of the above copy was made on May 8, 1562.)

Turning back now to the second part of the "*facultad*," following the preamble already given,²⁰ the *información de officio* continues:

After the above in the said City of Mexico on the 24th day of April of this said year (1562), for *información* regarding the above said, by order of the said Sr. Doctor Villanueva, *oidor* of this Royal Audiencia, oath was taken and received in legal form, by God and by Holy Mary and by the words of the Holy Gospels and by the sign of the cross on which each one placed his right hand, from the *Maestro* Bustamante and from Antonio de Olívez and Gonçalo Gómez Castillejo and from Luís de Godoy and Bernardino de Albórnoz, *alcaide* of the Royal arsenals of the city; each of whom promised to state truly what they might know as to the questions asked them, and that which each stated and declared secretly and by himself is the following.²¹

Bernaldino de Albórnoz had known Hernán Pérez from the time when he arrived in New Spain with Luys Ponce de León. He confirmed the facts alleged about the campaign in Nueva Galicia and Jalisco; the maintaining in his house of knights and others equipped at large expense to himself; his expense incurred for the intended expedition against Gonçalo Pizarro. Within three years after coming to New Spain he had married Doña Beatriz Pacheco, and they had

20. As there noted, the following text is in a handwriting different from that of the preamble.

21. The record here is not by question and answer but by a statement of what each witness testified. Even so, it is legal and verbose and it is best to brief it.

six sons ²² who were equipped and ready with their arms and horses to serve His Majesty. He regarded Hernán Pérez as a well known *caballero hijodalgo* and had never heard it questioned that he was of very illustrious blood, native of Córdoba, and one of the chief nobility of that city. He deemed him well worthy of royal favor.

On April 27, oath was taken from Juan Beços who also had known Pérez for thirty-six years since he arrived with Ponce de León. His testimony was similar to that of the other witnesses; and he thought that Pérez might well have spent 50,000 pesos on his house and armed retinue. He knew of his marriage with Doña Beatriz Pacheco thirty-three years earlier, and that he had six grown sons ready always to serve their king.

On April 28, oath was taken from *Francisco de Olmos* a conquistador and resident of Mexico City whose testimony was similar to that of preceding witnesses. Hernán Pérez had arrived with Ponce de León about thirty-five years before, and his house was frequented by many caballeros and others whom Pérez kept prepared for the king's service, etc., etc. He was more than sixty years of age and not related to Pérez.

Martín López, conquistador and resident, also of about sixty years, next testified on the same day and with no significant variation in detail; and was followed by *Diego Gutiérrez*, another resident, "more than 42 yrs. of age," who had known Hernán Pérez for twenty-three years. Testimony of the latter, therefore, was partly from hearsay and added nothing of importance.

The next witness (apparently on the same day) was Maestro Blas de Bustamante, fifty-five years old, who had known Hernán Pérez for thirty-three years. His testimony also, as recorded, adds no details.

Antonio de Olívez, conquistador and resident of Mexico next testified, fifty-six years of age, he had known Hernán Pérez for about thirty-five years since he arrived with Ponce de León. He knew that Hernán Pérez had married Doña Beatriz Pacheco, daughter of Francisco de

22. This was doubtless true at the time of this testimony. Dorantes, *op. cit.*, p. 285, lists as the fourth son "Don Joan Pacheco who died without succession." Another explanation is suggested by the testimony of Olívez, below, which refers to Leonor's husband, Alonso de Montemayor.

The witnesses in the information *de parte* speak of only five sons, two of whom were studying at Salamanca. But these two were to be back in Mexico in time to become involved in the conspiracy of 1566. See below.

Chavez,²³ a highly honored *caballero* and native of Trujillo (in Spain). Children of this marriage were Bernaldino de Bocanegra, "resident and *regidor* of this city," Nuño de Chavez, and Luys Ponce de León, and Doña Leonor de Bocanegra, and two others whose names the witness did not then recall; and Doña Leonor married Don Alonso de Montemayor. He agrees with preceding witnesses that any favor shown Hernán Pérez and his sons by the king would be well placed.

The last two witnesses in this *ynformación de officio* were heard on May 3. They were Angel de Villafañe (more than fifty years old, not related but he had known Pérez for more than fifty years) and Gómez Castillejo (also more than fifty years old, not related, but had known Pérez for more than forty years).

On May 8, 1562, a copy of the entire *probanza* was completed for the use of Hernán Pérez de Bocanegra, and a certification of its correctness was added at the close of each hearing, *de parte* and *de officio*. This was in compliance with the petitioner's request already noted.

The fourth and closing part of this *expediente* is a brief *parecer* of the Audiencia:

[4. Opinion of the Court]

Sacred Caesarean Majesty:

Upon petition of Hernán Pérez de Bocanegra resident of this City of Mexico, an *información* was received in this Royal Audiencia as to the quality and merits of his person so that he might come before Your Majesty with it and ask for certain favors and remunerations. According as Your Majesty has commanded, this *de officio* was received, by which are shown his quality and merits. Hernán Pérez de Bocanegra is had and held to be a *caballero hijodalgo* and he is so treated. He is married, having wife and married children.²⁴ His home is well supplied with arms and horses. He holds in *encomienda* for Your Majesty the town of

23. Francisco A. de Icaza, *Diccionario autobiográfico de conquistadores y pobladores de Nueva España* (Madrid 1923), I, p. 227, gives data regarding Francisco de Chaves as of about the year 1550. Of three marriageable daughters, only one was married—and she with Bocanegra. The "seven grandchildren" therefore were hers.

24. Coronado's three daughters must all have been married while still in their 'teens; and Bocanegra's daughter Leonor was already a widow in 1557.

Acámbaro and its subjects. He is in need. In view of his quality, the *merced* which Your Majesty may be pleased to order given to him has room in his person.

don Luys	Doctor	el doctor	el doctor	el doctor
de Velasco	Çorita	Villalobos	Horozco	Villanueva

The king's favorable decision was endorsed, as we have already noted, on the first leaf of the *expediente* by the laconic phrase "*Désele*" (Let it be given him); and the last endorsement indicated that this order was fulfilled. There is nothing in this entire document or in any endorsement on it to show when the *facultad* was actually issued, but from another Bocanegra document to which we now turn we learn that the *facultad* to Don Hernán was dated November 8, 1562, and the *mayorazgo* was formally established on October 11, 1564.

Strange as it may seem, it was hardly two years after Don Bernaldino had solemnly knelt and kissed the hands of his parents, upon receiving from them title to the *mayorazgo*, when he was trying to get from the king permission to transfer his estate to the home land by disposing of his entailed properties in New Spain. Again we have a document,²⁵ a complete translation of which would run to a hundred pages, but at no place in it do we find the explanation for this extraordinary procedure.

This we must find elsewhere, but a clue is given by the initial petition which appears in this document. Bernaldino's first petition was referred, as was customary, to a member of the Council of the Indies for his opinion; and this Licenciado Zorrilla endorsed his disapproval: "There are no grounds for giving him the permission which he asks. February 28, 1567. Lic^{do} Çorilla."

Now this date falls in the midst of the furore which centered around the person of the second Marqués del Valle, oldest son and heir of Hernán Cortés, the conqueror of Mexico, and whose mother also was a daughter of Moctezuma.

25. AGI, Mexico 99, LBB title 538: "Bernardino Pacheco de Bocanegra, sobre que se le dé facultad para vender los bienes vinculados que tiene en Mexico."

In the preceding July, this Martín Cortés and two younger brothers had been arrested under charges of high treason. The alleged conspiracy was that Don Martín and his friends had plotted to set up a new monarchy with him as king, and the encomenderos were to have their allotments of natives in perpetuity.²⁶ Three weeks later two Avila brothers who were regarded as chief conspirators were beheaded,²⁷ and meanwhile a considerable number of other most prominent citizens were under arrest and suffered various penalties.²⁸ One author names sixteen specifically, and five of the sixteen are Bernardino Pacheco de Bocanegra, Nuño de Chávez, Luís Ponce de León, Fernando de Córdoba, and Francisco Pacheco—the five sons of Don Hernán Pérez de Bocanegra!²⁹

This gives understanding to the fact that Bernaldino was in Spain in February 1567, and that he says in his petition: "As is known to Your Highness, the judges who went under commission to the said city (Mexico) condemned me to perpetual exile from the Indies and brought me a prisoner to these kingdoms"—reason enough, surely, for wanting to

26. For more than twenty years, it had been the persistent policy of the Spanish monarchs to take back "under the crown" all of these *repartimientos* possible, and the result was much hard feeling and intense dissatisfaction of the aggrieved *encomenderos*.

27. One of the two who were put to the torture and whose heads were picketed atop a public building was Alonso de Avila. Since he had married a daughter of Alonso de Estrada, he was a brother of Coronado's widow, and uncle of the three Coronado daughters.

28. Early in January, 1568, one of two who were publicly disgraced, hanged, and quartered was named Cristóbal de Oñate. Because of his name, some have confused him with the former lieutenant-governor of Nueva Galicia under Guzmán and later Coronado, and father of the first governor of New Mexico. (e. g., H. I. Priestley, *The Mexican Nation*, 94) This is a mistake, because the one who was put to the torture and executed in 1568 was called "el joven" to distinguish him from the other. (Riva Palacio, *México a través de los siglos*, II, 394, note.) Under repeated torture, he "confessed" many things which, true or false, were used against his associates; perhaps for this reason his family ceased any mention of him. He is said to have been a relative of the other—we have an idea that he was a son of that Cristóbal's brother Juan (an uncle of the New Mexico governor)—but we have no documentary proof.

29. Cavo, *Los tres siglos de Méjico* (Mexico 1852), p. 56, citing Torquemada, *Monarchia indiana*.

move the *mayorazgo* if allowed to do so, and also, as he said, to bring Doña Isabel de Luxán, his wife, from Mexico.

Doubtless Doña Isabel did join her husband in Spain and it would be interesting to know whether they left any direct descendants of Francisco Vázquez de Coronado in that country; at least, they faded out of New World records.³⁰ As to the *mayorazgo*, after the rebuff in Madrid in February 1567, Don Bernaldino proceeded to get, through an agent in Mexico City, a notarized record of the properties in New Spain which had been entailed and the long detailed restrictions under which Don Hernán and his wife had created the *mayorazgo*.³¹ With this record in hand, Don Bernaldino made another effort early in May 1573 to get permission to transfer his *mayorazgo* to Spain, but without avail.³² An order from the king (at San Lorenzo el Real, 15 May 1573) to the Audiencia in Mexico directed that the mother and Don Nuño be notified of what Bernaldino wanted. That body on 27 February 1574 read and endorsed the king's order; the mother's approval was recorded at "the mines of Guanajuato on 11 December 1574," and that of Nuño de Chávez in Mexico City on 5 February 1575!

30. Historians have accepted without question the statement of Dorantes de Carranza in 1604 (*Sumaria Relación de las Cosas de la Nueva España* (Mexico 1902), pp. 279, 284) that this couple had no children. See most recently, for example, Paul A. Jones, *Coronado and Quivira* (ed. 1937), pp. 190-1, and Hammond and Rey, *Narratives of the Coronado Expedition*, p. 3.

31. This took the form of an *información*, showing initial date of Dec. 22, 1569, and it makes up the bulk of the document last cited above, AGI, Mexico 99, LBB title 538.

32. His second petition is at the front of the entire document (without date), followed by his first (original) petition. The endorsements show the following sequence of action in Madrid:

- (1) "Let those interested in the *mayorazgo* be summoned. Madrid, 6 May 1573. Licenciado Vanegas."
- (2) In Madrid on 20 May 1573, a notarized statement of their approval of the proposed sale of estate properties in New Spain was signed by Lujs Ponce de León, Fernando Bocanegra de Córdoba, Francisco Pacheco, and Doña Leonor Ponce de León.
- (3) On May 25, Vanegas recommended (to the Council of the Indies) "that what they ask is not allowable; and as has been ordered, let the others interested in the *mayorazgo* be cited. Madrid 25 May 1573. Licenciado Vanegas." This referred, of course, to the mother and the one remaining brother, both in Mexico City.

What reasons there were for such procrastination we do not know. Final notations show that the report finally reached Madrid on 19 October 1575 and was "placed with the (papers of the) *mayorazgo*." Nearly nine years after Bernaldino first made his petition, apparently this was the net result.

Whether or not this oldest Bocanegra son died childless, if he could dispose of his entailed properties in America, the view is doubtless correct that these properties came to the second brother, Don Nuño. As described when the *mayorazgo* was created in October 1564,³³ the properties included:

(1) "the principal houses of our residence which we have and possess in the said city of Mexico, in the plaza of the monastery of Sancto Domingo which adjoin on one side the houses of Christobal de Oñate³⁴ and at the rear the houses of Gonçalo de Salazar³⁵ and in front and on one side the two royal streets because it is on a corner."

(2) "the enclosed estate which we have and possess in Apaceo and the River with all the pastures and springs, both those acquired by grant and by purchase; also the sheep ranches which are within the said enclosure and the ranch site at the source of the River of Apaceo, and the mills and houses and gardens which we have there and in the cattle ranch which belonged to Juan Pacheco and in the ranch of the little fountain which belonged to Martín Zofre and the lands belonging to the said ranch."³⁶

33. AGI, Mexico 99, LBB title 538.

34. Already mentioned for his services in Nueva Galicia; one of the four famous discoverers of the Zacatecas mines.

35. Native of Granada in Spain, who had come to New Spain in 1523 as *factor* of His Majesty, and who later served as a *regidor* and in other capacities. Listed as a conquistador in Icaza, *op. cit.*, I, 189, No. 368.

36. Text of the grant titles (both to Pérez and to those from whom he bought) are in AGI, Mexico 99, LBB title 538, and show dates 30 October 1543, 20 August 1548, 20 June 1541, 9 October 1556, 7 June 1546.

From this point in our study of the Coronado-Bocanegra alliance, it is difficult to distinguish the fortunes of the two families—nor is it necessary to do so. As one result of the tragic events entrained by the Marqués del Valle conspiracy in 1566, the entire Bocanegra family was driven from America except the widowed mother and the one son Nuño; while in the family of Francisco Vásquez de Coronado we know of no succession except through the wife of this Nuño de Chávez.

The site of the Vásquez Coronado residence in Mexico City has been identified as on the south side of the old plaza known as the "Volador." As the National Palace faces west on the Zócalo, anyone who wishes today can easily see where Coronado's house stood by walking around the south flank of the Palace and looking across the Volador plaza.³⁷

The Bocanegra residence must not be confused with that of Coronado; as described above, it was on the plaza of Santo Domingo three blocks north from the Zócalo. Today the site is identified as the corner of Santo Domingo and Perpetua streets and facing west on the plaza.³⁸

In this Bocanegra residence, doubtless, Nuño de Chávez had been reared and there is little doubt also that he later took it over as a part of the *mayorazgo*, by default, as it were, of his oldest brother.

Of interest also is the identifying of Nuño with the other part of the *mayorazgo*, the vast estate in the Guajuato region. We are told³⁹ that "Don Nuño de Chaves Pacheco de Córdova y Bocanegra" was the third "Señor de los Apaseos." As the original grant to "Apaseo" was made

37. Paul A. Jones, *Coronado and Quivira*, pp. 192, 197, shows the Coronado location on an old map and by a modern photograph. This author credits his chapter "The Coronado Genealogy" to a Mexican scholar, Luis L. de la Barra, Jr., who found the data for him.

38. The church of Santo Domingo which faces the same plaza on the north dates only from the eighteenth century, yet it marks the burial place of Coronado and doubtless other members of these two families—because it was built directly over the original church which had sunk completely below the surface. Naturally Coronado's bones went with it. Jones, *op. cit.* Chapter VI.

39. Jones, *op. cit.*, p. 193, based on Barra.

in 1543 by Viceroy Mendoza to Hernán Pérez de Bocanegra, he would be the first "Señor" of that grant (with subsequent additions by grant or purchase), and Bernaldino would be the second. Contemporary evidence is given us by Dorantes de Carranza who wrote in 1604 that the father Hernán Pérez "had in *encomienda* the pueblos of Acámbaro and Apaseo, which his grandson possesses today."⁴⁰ Since each of these two towns became the head of a *partido* in the State of Guanajuato, the grandfather's "enclosed estate" above described can be thought of as being as large as "two counties."⁴¹

The "grandson" mentioned above by Dorantes was Don Francisco Pacheco de Córdoba y Bocanegra who, the very next year (1605), was petitioning the king for four favors: "(1) 10,000 pesos of revenue for life in unallotted Indians, and that among them be included the Encomienda of the towns of Acámbaro which he now has in the third generation. (2) a title of Marquis or Count for his *mayorazgo* of Apaseo, and [that] of Adelantado for life of the province of New Galicia.⁴² (3) a habit of the Order of Santiago. (4) that His Majesty employ him in his Royal House, and in the governorships and presidencies of the Indies."⁴³

40. Dorantes, *op. cit.*, p. 284.

41. Pérez Hernández, *Diccionario geográfico . . . de la República Mexicana* (Mexico 1874), I, p. 523, describes Apaseo as "a *partido* of the department of Celaya, in the State of Guanajuato, which includes the *villa* of the same name and the towns of Apaseo el Alto, San Bartolo Ixtla, and San Pedro Tenango." In the same volume, p. 26, Acámbaro is described as "a *villa*, head of its municipality and *partido*, in the department of Celaya, State of Guanajuato; it was "on the bank of the copious River Lerma."

42. Instead of being satisfied with being known as "fourth Señor of Apaseo," he wanted a genuine title of nobility. His claim to the honorary title "Adelantado" was evidently based on the services of his maternal grandfather, Francisco Vázquez de Coronado—of whom he has more to say presently.

43. AGI, Mexico 124, LBB title 172. This is a twelve-page document, a "brief" apparently of a very voluminous and much documented petition, prepared in Mexico City and sent to an agent in Spain who should bring it before the Council of the Indies. In Spain the brief, or summarized draft, was printed and this copy was legalized by the signature at the end of Licenciado Alfonso Fernández de Castro, who also affixed his rubric at the foot of each printed leaf. It is now separated from any accompanying papers, but so validated it is of interest for the picture it gives of the third generation of the two families.

The brief continues :

There are *informaciones de oficio* and *de parte*, [received] in the Audiencia of Mexico before Licenciado Pedro Suarez de Longoria in the year 1605 and done according to what is required by the royal cédulas [showing] that the suppliant is the legitimate and only son of Nuño de Chávez Pacheco de Córdoba y Bocanegra and of Doña Marina Vásquez de Coronado, his wife; paternal grandson of Captain General Hernán Pérez de Bocanegra y Córdoba, and of Doña Beatriz Pacheco his wife; maternal grandson of the Governor and Captain General Francisco Vásquez de Coronado, and of Doña Beatriz de Estrada his wife;

Maternal great grandson of Alfonso de Estrada Governor and Captain General of New Spain.

A page of text then summarizes the services of Hernán Pérez; three pages, those of Vásquez Coronado; one page, those of Estrada; five and a half pages, those of the suppliant himself. At the end we read :

At foja 1, there is a testimonial by the treasury officials of Mexico, given by order of the Audiencia on 14 October 1605 in which they certify that, down to the date of the testimonial, neither to Hernán Pérez, nor to Nuño de Chavez, nor to Vásquez de Coronado, nor to Governor Estrada, nor to Doña Beatriz de Estrada (his parents and paternal and maternal grandparents), nor to the suppliant himself, has any grant or gratification been paid from the treasury of Mexico by His Majesty nor by the viceroys nor by the Audiencia.

There is a *parecer* from the Viceroy and Audiencia of Mexico (dated) 10 November 1605. Letters from the Viceroy, Cabildo and City of Mexico should be read; and [those] from the Church of Mexico, and the City of Los Angeles (Puebla). And there are letters for His Majesty in which private individuals testify to the said services and beg that [the king] honor and reward the suppliant, so that other faithful and good vassals may be encouraged to serve him as the suppliant has done.

The petition from which we are quoting was written in 1605 when the *Tierra Nueva*, "the new country" which Coronado and his followers had found in 1540-42 had been rediscovered and now, renamed "New Mexico," was being

colonized permanently. Repeatedly during the half century after the Coronado expedition, Spaniards had besought the king for royal favors as reward for services which they or a father or grandfather or a wife's relative had given in "the land of Cibola." It is possible that we today are unduly impressed by the bitter disappointment voiced by some of Coronado's contemporaries and by the depreciation voiced by some of his modern critics. Of course the following statement of his services was gotten together in 1605 by a scion of the Coronado-Bocanegra family alliance, but yet as we read it, we can remember that it is merely a summarized account based on the legal, formal questioning of witnesses under oath.

Services of the Governor and Captain General Francisco Vázquez de Coronado, maternal grandfather of the suppliant. By the said *informaciones* it appears:

That he was Governor and Captain General of the Provinces of New Galicia and Guadalajara, and Compostela from the year 1539 until an Audiencia was placed there which succeeded him in the government. At foja 55, it so appears from the title [issued] in Toledo on 18 April 1539.⁴⁴

Further that the time of his government was consumed in conquering and pacifying the Provinces and the rebellion of Suchipila [Xochipila], and that of Guaxathlan, and Iocotlan [Xocotlan] and their Provinces, and it was consumed in pacifying completely the second rebellion of Xalisco where (before the said Governor went to that assignment) His Majesty had had very great expense.⁴⁵

In person he conquered the Provinces of the Tecolquines, Calacanes, and that of Chiametla and the Valley of Coronado (to which he gave his own name).

With very great expense from his own estate and con-

44. The "foja" (leaf) citations here and below were for convenience in referring from the brief to the larger document which was being summarized—and which we do not have.

Again we must distinguish between a provisional appointment by the viceroy and a confirmatory appointment by the king. Actually Coronado had been serving as governor of Nueva Galicia for about nine months before he could have received this title of 18 April 1539; but in addressing the king in 1605, the grandson would have the tact to cite the king's title to Coronado rather than the viceroy's earlier provisional one.

45. The type-setter in Spain had trouble with unfamiliar names of Indian towns.

tinuous toil of his own person and good planning and strategy he brought the Provinces under the Royal Crown. In the battles which he had, many times he came out badly wounded, even to the point of death.

He peopled the said Provinces with cities and *villas* of Spaniards. He distributed encomiendas of Indians among the Conquerors and settlers with fairness and disinterest.

By his order were discovered many silver mines in the said Provinces in which His Majesty and the Royal fifths have been, and are, well profited. Putting the said mines (such as those of Compostela, Chimaltitlan, Xocotlan, and Chiametla, and the other places and camps which are maintained even to the present day) in good order and neatness, serving as a very faithful and important vassal of His Majesty.

The Emperor our lord [Charles V] in a letter written to the said Governor on 21 June 1540 (see foja 66) thanks him for his services and commands him to continue them, and says that he is pleased and under obligation for the work he has done and the care he has taken, and is taking, in the pacifying and settling of those provinces, and in the good treatment of the natives who live in them and he charges him so to continue.

(It appears further) that after having effected the said conquests and pacifications, while still in the said office of Governor, he was entrusted by the order of His Majesty with the discovery and conquest of the "new country" and the Kingdoms of Acuz (Hawikúh), Zívola, Matlatlan (Marata), and Tontintlac (Totontec), for which [undertaking] His Majesty sent a cedula to the Viceroy Antonio de Mendoza that it should be taken away from the Marqués del Valle, Don Hernando Cortéz, to whom this conquest had been committed and it was given to the said Governor Francisco Vázquez de Coronado who was named Captain General of the conquest.

It is shown by the *provisión* (foja 57) given him by Don Carlos (Charles V) etc., with an account of the whole matter and insertion of the cedula by which the said conquest was taken from the Marqués del Valle and given to the said Francisco Vázquez de Coronado on 6 January 1540.⁴⁶

46. This briefing would be intelligible to the Council of the Indies, but it is not so for the general reader. The *provisión* here credited to the king himself was actually a *real provisión* issued by the viceroy at Mechuacan on 6 January 1540.

(It appears further) that he made the said journey at the head of the most brilliant army that has gone out from New Spain, with very great cost and expense, and many retainers (*criados*), prominent *caballeros*, horses, weapons, supplies, and many herds [of stock], going more than a thousand leagues overland with great expense, privations, and personal toil. He conquered the Province of Corazones where he founded with Spaniards the villa of San Gerónimo.

He conquered the valleys and plains of Señora [Sonora], and in the battle which he had there, many of his army were killed, and he came out wounded even to the point of death.⁴⁷ By that route he discovered the land of Florida.⁴⁸ From the labors and wounds which he suffered in the said conquests and discoveries, he became gravely sick, but he had done and executed at great personal expense what is stated and all that His Majesty had commissioned and ordered him to do, and had placed under His Majesty's dominion what he conquered and had performed very great and considerable services. After his return to Mexico, from the continuous labors and from the infirmities which the said journey brought on, he died within a very short time, leaving his daughters very poor because of the great expenditures he had made.

There is an *información de parte* (foja 59) in Mexico before Doctor Antonio Rodríguez de Quesada, *oidor* (judge) of Mexico, in the year 1545, which contains in general the expenses which he incurred in the said conquests and journeys, and the witnesses say that at the time that he made the [one to Cíbola] he had much revenue from Indians in encomienda and much inherited property of his own and of his wife which at the said time was very rich and produc-

47. This is somewhat overdone; also the grandson seems to have the fight at Hawikúh taking place down in Sonora.

48. While out on the "plains of Cíbola," the Spaniards heard through the natives of other white men to the east, and inferred that they were the expedition of Hernando de Soto exploring Florida. Long after the year 1605, maps showed Florida and New Mexico as spanning the continent—representing Spanish territorial claims which rested back on the Soto and Coronado expeditions.

Hammond and Rey, *op. cit.*, pp. 6, 83-86, state the matter correctly but give only part of the text, with the *real cédula* of 17 April 1535 in a footnote. There are complete copies in AGI, Justicia 336, 339, and 1021 (LBB titles 2, 4, and 5); also it has been published by A. S. Aiton (*Hispanic American Historical Review*, XX [Feb., 1940], pp. 83-87), but his foreword to the text is more confusing than helpful. The viceroy did not have to wait for a *real provisión*, as he himself could issue one—and here did so.

tive, and after his return from the said conquests and journeys he was poor and in want, from having spent more than 50,000 ducats and they (the witnesses) were astonished that His Majesty had not rewarded his great services, if he had been informed about them.

From the said *informaciones de parte* and *de oficio* it appears that, having and possessing in New Spain the Indians (*pueblos* is meant) of Aguatlan, Cacatlan, Xalamezquitlan, Xalacingo, Teguacan, Quicinque and Guatlan⁴⁹ with their inhabitants, which brought in a large amount of revenue, the Royal audiencia took them away from him and restored them to the Royal Crown on the grounds that he had been governor in the Province where he had some of the said pueblos, although when he was given title for the said conquests, he was assured that they would not be taken away from him nor removed at any time; and although Juan Vázquez de Coronado, *Commendador* of Cubillas, brother of the said governor,⁵⁰ secured an executive order that they should be returned to him, they were not returned, because at the time when the said order arrived, he was dead,⁵¹ so that they have not been returned to him nor to his daughter, Doña María Vázquez de Coronado, mother of the suppliant who is his only grandson.

49. The typesetter made a sorry mess in "reading copy" on the names of the Indian towns. For any who may be interested, we quote from Coronado's petition when, only a few months before his death, he was still trying to recover his encomienda rights. He states that he had had

"la mytad de los pueblos de *Aguacatlan* y *Xala* con sus estancias y sujetos, y la mytad de las estancias de *Myzquytlan* y *Guazacatlan* que son en el valle de guaxacatlan con sus estancias y sujetos como lo vno y lo otro todo entero lo tenia Franco de Villegas difunto y la mytad de los pueblos y estancias de *tepuznacán* y *myzquytlan* y *amaxaque* y *amatlan* con sus sujetos como lo tenya Alvaro de Braçamonte y el pueblo de *quyncique* con los yndios chichimccas otomyes questan en su comarca . . ." AGI, Justicia 336, LBB title 2: "Francisco Vázquez Coronado con el fiscal sobre ciertos yndios" (1553-4).

50. Francisco Vázquez de Coronado was the second of four brothers, the oldest being Gonzalo Vázquez de Coronado, and the other two had each the name Juan Vázquez de Coronado. Of these one was Adelantado of Costa Rica and the other was the brother here mentioned. He was "Comendador of the military order of San Juan" and was also called "Comendador de Cubillas." While residing on his encomienda at that place in León, the king summoned him to the command of four vessels under Don Juan of Austria, with whom he fought in some naval battle—evidently that of Lepanto (7 October 1572). AGI, Indiferente 1240, LBB title 87a.

51. An endorsement at the beginning of AGI, Justicia 336, title 2, shows that this Coronado *plieto* was received in Spain on 22 March 1554, which was exactly six months before Coronado's death. It is interesting to know that restitution of his holdings was ordered, even if this was not realized.

In the title as Captain General which was given him for the said conquests (foja 58), he is assured and promised in the name of His Majesty that, because he was going to serve as stated, the Indians whom he had in *encomienda* either in New Spain or elsewhere would not be taken away from him at any time. It is shown that he was despoiled of all the said Indians and they have not been restored.

There is a royal cedula (foja 64) which was given him on 29 September 1550 so that the said Indians should be returned to him, and it does not appear that they have been returned. The suppliant reduces the matter to asking a favor and "arrears in rent" (so as not to carry on a lawsuit with His Majesty), together with the rest of the services of the said Governor and his other grandparents, and his own services; and asks in recompense the favors which he has expressed.

The Emperor our lord in a letter of 21 June 1540 (foja 66) thanks him for the work he had done in the conquests he had made and for his other services, and [said] that he appreciated the care he was taking and had taken in the conquests and in the pacifying of the rest of the Provinces, and his good treatment of the natives, and he says that he had learned from letters of the Viceroy, Don Antonio de Mendoza, that, in his [the king's] name, he [Mendoza] had sent him [Coronado] as Captain General of the other conquests and settlements of the country which Fray Marcos de Niza discovered,⁵² by which he felt content because he hoped that, with his [Coronado's] going, Our Lord would be well served and the Royal Crown increased and that, through his industry, that country would be placed under the yoke of the Royal lordship and he would bring the natives here to a knowledge of our holy Catholic Faith, and he enjoins him that, with all prudence and good order, he labor to effect this.⁵³

Many witnesses tell (foja 27) how he returned from the conquests and how they received him in Mexico [City], and one of them relates that, when he returned from the

52. The king is referring, of course, to the viceroy's *real provisión* of 6 January 1540.

53. Unfortunately we do not have the complete original text of this letter from the king to Coronado of 21 June 1540. However, it can be seen that it was not in reply to the letter from the Viceroy to the king on 17 April 1540. (Hammond and Rey, *Narratives of the Coronado Expedition*, 156-161.) But in that letter, notice Mendoza's citation from an earlier letter which he had written on "the last of February." This one also is missing.

said conquests and discoveries after having completed their conquest and pacification, the Viceroy don Antonio de Mendoza and the Audiencia went out to receive him with the same solemnity and style in which viceroys are received, thus showing their appreciation of what he had discovered and conquered.⁵⁴

[It appears also] that Doña Marina Vásquez de Coronado, mother of the petitioner, has inherited any benefit from the services of her said father, because, of the three daughters whom he left, two died without leaving succession and there is no other descendent except the said Doña Marina Vásquez de Coronado, mother of the petitioner; she is suffering from great want, both because of the expenses incurred by her said father and because the Indians whom her father had in *encomienda* have not been restored to her, and those of Cuçamala and Tenango which he had, have also been taken away, and she has no others, and the said services [of her father] are today still unrewarded. Her son, the said Don Francisco Pacheco, is keeping and supporting her out of the small revenue which he has.

We do not know what favors, if any, were gotten by this scion of the Coronado and Bocanegra families. As an individual he is a matter of minor importance, although it is interesting to speculate that through his descendants the blood of the Coronado family may, later, have returned to his "Tierra Nueva" and be concealed today under the name of "Chávez" or some other ancestral name. But more important is the fact that we cannot dip into these old records of Coronado, his contemporaries and heirs, without ourselves, in some small degree at least, getting back into their times and facing the problems and hardships of life as they had to face them. A correct understanding of their times gives a more correct evaluating of the conquistadores and their accomplishments.

54. This is rather different from the story of Suárez de Peralta that, when Coronado came to kiss the viceroy's hand, "he found him very sad."

BOOK REVIEWS

Western America: The Exploration, Settlement, and Development of the Region Beyond the Mississippi. By LeRoy R. Hafen and Carl Coke Rister. (Prentice-Hall, Inc., New York, 1941. Pp. xxvi, 698, bibliography, illustrations, index.)

Professors Hafen and Rister have written a new textbook in Western history, one obviously intended to accompany a course specializing in the history of the western United States. There are thirty-five chapters, each followed by a select bibliography, and there is an index. The whole volume includes more than seven hundred pages.

The authors state that it was their purpose to treat primarily the "exploration, settlement, and development of the trans-Mississippi West," and this plan should be borne in mind in evaluating their work. For example, the first four chapters are "concerned with the achievements of the Spaniards and the French in establishing themselves in the Southwest, on the Pacific Coast, and in the Mississippi Valley," but, of course, no one would expect a very complete study of the beginnings of Spanish and French exploration and colonization in America in such limited space, in addition to the later achievements of these nations in the trans-Mississippi West. As a consequence, the volume contains only the most cursory reference to the early Spanish and French activities in the New World, and, in fact, the same is true of the exploration and colonization by the English along the Atlantic seaboard. In this latter case, the authors assume that their readers are already familiar with English settlement in America before 1763, and therefore their story emphasizes the period of expansion across the United States beginning with the settlement of the trans-Appalachian region.

From this point on, the authors follow consistently the

path of westward expansion, dealing with the Old Southwest, the Old Northwest, the Louisiana region, the fur trade, Oregon, Santa Fé trail, Texas, the Mexican war, California, Mormon settlement, and, in the period following the Civil war, the sod-house frontier, mining frontier, overland communication and transportation, the Indian question, coming of the railroads, range cattle and sheep industries, new states, outlawry and vigilance committees, and evolution of Western culture.

It is clear that Professors Hafen and Rister have attempted to bring the story to about 1890, when the frontier had, in a sense, ceased to exist.

It is difficult to criticize a text book, for individual needs and points of view differ where such a great variety of subject matter is concerned. Bearing in mind the limitations set by the author, the book is well proportioned, the style is good, and the format excellent. It is written in narrative form, without the familiar box heads common to text books, and, as a matter of Western American history, is a contribution to the literature of the subject.

GEORGE P. HAMMOND

The University of New Mexico

Colorado, The Centennial State. By Percy Stanley Fritz. (New York: Prentice-Hall, 1941. 518 pp., maps and illustrations. \$5.00.)

This publishing house has given us another of their excellent series of State histories. The press work is very commendable with one exception: why must we be imposed upon by books which are needlessly *heavy*? The stock used in this volume is so thick that it balances Caughey's *California* (by the same house), although the latter is a third larger. Either is a burden which consciously irritates the reader.

For a one-volume history, Dr. Fritz has made a very reasonable allotment of his space. Statehood (from 1876)

occupies the last half, following three much shorter "Parts" devoted to background, the pioneer period (1581-61), and the territorial period (1861-76). On the whole, the selected bibliographies at the end of the chapters seem very satisfactory, although some important titles of the last few years are not found. Nevertheless there are various mistakes as to fact or interpretation which suggest a lack of acquaintance with studies of much longer standing. When shall we learn to avail ourselves of friendly criticism *before* we rush into print?

In other reviews of this book we have seen corrections offered, touching the territorial and statehood periods, e. g., by Geo. L. Anderson in *The Colorado Magazine* of last March, pp. 77-78. We offer some observations as to earlier times. The chapter on "The Indians" is a good portrayal of that subject, but we might expect at least reference to "Folsom Man" (p. 19), while the suggestion that any of Coronado's army saw, or heard of the cliff ruins is absurd (p. 20). The "Army of the West" under Kearny in 1846 numbered, not 250, but 1,558 men; and Price was not with him but followed with a second division of 1,700 men (pp. 48-49).

We are told (p. 53) that "Indian names slightly overshadow the Spanish in Colorado," seven counties, e. g., have Indian names. But the names of the state itself and of *nineteen* counties are Spanish! And why should the some 60,000 Spanish-American citizens of Colorado be affronted by the term "Mexicans" (p. 69)? It would be on a par for them to call Dr. Fritz a "German."

The brief section on "Spanish Exploration" (pp. 58-69) is perhaps the most mediocre of the book. The author repeats the old mistake that the "land of Cíbola" was named from the buffalo; he is unfamiliar with the terms of the contract given to Soto; the alleged quotation (59-60) is not found in Castañeda's account, nor was the review of Coronado's army held on Easter Sunday. Coronado was traveling southeast (not northeast) prior to sending his main

army back to Tiguex; Santa Fé was not founded in 1609 nor by Oñate, nor did Oñate secure "129 soldiers to protect the colonists"—the heads of families themselves were the soldiers. Neither Coronado nor Oñate was the complete failure indicated: the one laid the foundation of vast Spanish territorial rights, the other began permanent occupation. As to Vargas, we have the remarkable statement that he "regained the land but not the Indians." The Escalante expedition is not understood as one detail of the Spanish plan to integrate the widely separated parts of the enormous Spanish borderlands, also the Anza route of 1774 from Sonora to California is overlooked. Spanish names are misspelled (Melgares, Alencaster) and a petty officer at Santa Fé is confused with Salcedo in Chihuahua (p. 77). As to poor old Lalande, it was shown years ago that he asked leave to depart but was restrained by the Spanish authorities.

Fortunately, as the author carries his narrative into the nineteenth century he is on historical ground which has been well worked, and his text is rich, informative and well presented. The illustrations are very good, but for some reason there is no list of them.—L. B. B.

Government Handout: A Study in the Administration of the Public Lands, 1875-1891. By Harold Hathaway Dunham (Edwards Bros., Inc., Ann Arbor, Mich. 1941. Index and Bibliography. 364 pp.)

The title indicates that the author approached his subject with a definite slant. He sets out to prove that what other historians might designate as development was in fact exploitation; that, in the main, the growth and progress of the West was rooted in disregard of public rights and welfare. What others might ascribe to inefficiency and mistakes in administration which under our form of government are often unavoidable, to the author becomes the evidence of bribery and perversion.

In analyzing the actions and motives of high officials, from the Supreme Court and members of Congress, down to the employes of the General Land Office, the author follows a trail which to him proves iniquity in the application of the federal land laws. Of the late U. S. Senator Teller, while he was secretary of the interior, it is written, for instance: "Unfortunately he had aligned himself with the predatory interests which did not care for the proper solution for those needs." and again: "He adopted some of the most pernicious rules and practices ever credited to a Secretary." Yet the writer admits: "In all fairness to the Secretary, however, it should be observed that many of his reports sound sincere in seeking revision of particular laws," and again: "Secretary Teller should be credited for urging a solution of survey and forfeiture problems."

The most flagrant exhibit of the author's apparent bias is his treatment of the Maxwell Land Grant litigation. An entire chapter is devoted to it under the heading "The Maxwell Land Grant Fraud." In it, Dunham sets his opinion against the judgment of the United States Supreme Court and reflects upon the character of men who were the soul of honor and to whom New Mexico, in fact the entire Southwest and even the entire Nation, owes a debt of gratitude. He credits the Democrats with reforms resulting "from their efforts to check corruption in New Mexico," although he admits that "one effort for improvement was undertaken by President Hayes when he appointed General Lew Wallace governor with instructions to leave no stone unturned in achieving order." He disputes Historian Ralph E. Twitchell's account of partisan machinations in New Mexico during the Cleveland administration, and upholds the record of Surveyor General Julian who, because of his prejudices, newspaper reports, and actions, "helped to make New Mexico a by-word for land law violations." Of these Twitchell in his *Leading Facts of New Mexican History* remarked: "An assault on land titles to lands in New Mexico was inaugurated which, for virulence of action and incapa-

city of management," had never been equaled. It can be further stated that the government could not convict the alleged guilty. One of the most noted of these cases was that brought against the late Colonel Max Frost, proprietor and editor of the *Santa Fe New Mexican*, whose criticism of Julian and the administration subjected him to the fury of partisan persecution.

Dunham's approach to the discussion of the Maxwell Land Grant matter is as follows: "Influence in the land department is evident in Secretary Teller's rulings and in Commissioner Williamson's action for the Maxwell grant patent. On the whole, bribery at least in a direct form, seems to have been unnecessary for obtaining favorable action. Lax enforcement, liberal interpretations and biased and reversed rulings gave predatory interests all they could wish." In a biographical sketch of Lucien Maxwell, the founder and first president of the First National Bank of Santa Fé, the author says that Maxwell bought out the interest of the Beaubien children by "paying not more than \$3,500 for each share," and "a close friend of Maxwell's reported that in 1866 the latter was willing to sell the entire 'rancho' for \$75,000." Maxwell finally sold for ten times that amount. The author further impugns the motives of Stephen B. Elkins, and of W. W. Griffin, both of whom succeeded Maxwell as presidents of the First National Bank, Griffin having surveyed the grant and John Elkins, brother of Stephen, having been on Griffin's bond. Chief Justice L. Bradford Prince, later governor and president of New Mexico Historical Society, is referred to as "a member of the Santa Fe Ring," who "three seconds before midnight . . . signed the decree of foreclosure to complete what seemed like a rascally piece of judicial legerdemain."

Despite the decision of Judge Brewer in favor of the Maxwell Grant claimants, the case was taken up to the United States Supreme Court. Judge Brewer had said in concluding his opinion: "I leave the case with the final observation by the government with all the means and facili-

ties at its command, the officers of the Government (deputy surveyors and the surveyor general) and the claimants stand without a stain upon the rectitude of their conduct, and the boundaries of the grant as finally surveyed and patented, if not absolutely accurate and correct are at least shown to be as nearly so as any known testimony can determine."

Reprehensible to the last degree is the author's dictum that the Hon. Frank Springer, as upright, unselfish and patriotic a citizen as New Mexico has ever honored, "was guilty of false statements, that he contradicted himself materially, ignored important points and skillfully confused the question of boundaries." Yet, Dunham admits: "Mr. Frank Springer of New Mexico, presented the main argument for the Maxwell Company. He denied that there had been any fraud; he upheld the accuracy of the surveys, defended the claim against limitations of the Mexican law and made a strong plea for a finality to attacks on the company's rights and property. His points were careful, clever and bold to a high degree—thoroughly able. It is said that he received the thanks of the Court for the ability with which he presented his case." The U. S. Supreme Court denied a rehearing and from then on, began an era of development of the grant which had cost the owners an estimated \$12,000,000, that ushered in the growth and prosperity of what is now Colfax county, a development otherwise unattainable. There was more litigation but the Maxwell Grant company won in every instance.

Dunham has brought together a mass of official data and current comments on federal land matters which prove his indefatigable industry as a research student. His literary style runs easily and makes the formidable volume quite readable. While recognizing his bias and his evident eagerness to prove his theme that the disposal of the public lands was a scandalous "Government Handout," the volume may be considered a noteworthy exposition of a very important but controversial historical subject.—P. A. F. W.

NECROLOGY

REPORT OF THE COMMITTEE ON HISTORY AND NECROLOGY OF
THE NEW MEXICO BAR ASSOCIATION, SANTA FÉ,
NEW MEXICO, OCTOBER 9, 1941

EVENTFUL have been the days since the last annual meeting of the New Mexico Bar Association. The fate, not only of nations, but virtually of civilization, has rested in the hands of men of the legal profession. From the president of the United States down to minor key positions in the public service, members of the bar have made the decisions determining the trend of events. New Mexico lawyers, too, have been called to service in the Army, the Navy, and in civil life to coöperate in the nation's task of defense against forces which threaten the American way of life. It is gratifying that Secretary Herbert B. Gerhart is now publishing periodically a bulletin which gives a running, concise account of activities of members of the New Mexico Bar, which will enable the future historian to write the record of present day history of the New Mexico Bar Association.

Death, the inevitable consequence of living, has again made inroads on our membership during the past year, and as a tribute to those who have gone before, these brief biographical sketches are attached:

George W. Hay

Death came to District Judge George W. Hay of Silver City on the evening of January 7, this year, while he and Mrs. Hay were visiting in Pasadena, California. They were crossing Colorado Street, just outside of the city limits, near the auto-court where they were guests, when an automobile struck the judge and his dog, carrying them 94 feet on the bumper before the car came to a stop. Sheriff's officers said the automobile was driven by one Kenneth Slavin, aged nineteen, of Pasadena, who testified that he was driv-

ing at a lawful speed and had not seen Judge Hay crossing the street.

George William Hay was born in Somerset, Pennsylvania, on September 9, 1890, and there found his last resting place. He attended Valparaiso University, Indiana, receiving the B.S. and LL.B. degrees. He practiced law in Kokomo, Indiana, 1916-1917. The latter year he entered the army, serving overseas with the 89th Infantry Division as lieutenant, being cited for gallantry in action. Discharged on April 12, 1919, he came as a patient to the Veterans' Hospital at Fort Bayard, Grant County, in 1920.

Regaining his health, Judge Hay established himself in Silver City in the practice of his profession in 1924. Elected as a democrat to the bench of the Sixth Judicial District in 1930, he was serving his second term at the time of his death.

Judge Hay had no children, but is survived by his widow, Cecilia T. Balch of O'Neill, Nebraska. He was a member of the Presbyterian Church, the American Legion, the Military Order of the World War, the Elks, the Thirty-second Degree Masons, and the New Mexico Bar Association.

Funeral services were conducted by the Reverend Fred Darley in the District Court room at Silver City. Burial was at Somerset, Pennsylvania.

Charles A. Reynolds

On the same day that death came to Judge George W. Hay, another veteran member of the New Mexico Bar, Colonel Charles A. Reynolds, answered the last summons at the age of eight-five years. His had been an adventurous career, which took him far afield and brought him fame. He served during the Spanish American War and was captain in the 31st Infantry in the Philippines. There, he became governor of the Province of Albay, where he inaugurated a road building program. A large bridge constructed on the Legaske-Ligao Road bears his name. He answered

the call of the Colors again during the last World War, attaining the rank of colonel. After the War, he took up the practice of law in Roswell and later in Albuquerque. There, Colonel Reynolds was a familiar figure at gatherings of veterans. When seen on the streets, he was generally accompanied by his dog, Dixie, who when more than fifteen years old, preceded his master in death by six months. Colonel Reynolds gave specific directions that the dog's collar be buried with him and it was laid on the breast of the military uniform in which he was buried.

Claude T. Smith

Another War veteran, member of the New Mexico Bar, died at the Veteran's Hospital in Albuquerque on June 8 of this year. Claude T. Smith, at one time assistant district attorney for San Juan County, was in command of the 120th Aero Squadron overseas after a tour of duty as first lieutenant at the second Leon Springs Training Camp.

Smith was a graduate of Western Maryland College and was admitted to practice in Maryland. He was city attorney at Westminster, Maryland, and examiner of equity causes of Carroll County, Maryland. Moving to Oklahoma, he served as county attorney for Beaver County, Oklahoma, and as a member of the democratic state committee from 1912 until the War in 1917.

Broken in health, he homesteaded in San Juan County, taught school, and then resumed practice of law, opening an office over the Citizens' Bank at Aztec.

George C. Lougee

After a residence of thirty years in New Mexico, George C. Lougee, a member of the New Mexico Bar for twenty years, died at his home in Albuquerque, on Tuesday. Lougee was born in Hampden, Maine, fifty-five years ago, where he prepared himself to teach school. While principal of the public schools in Santa Fé, and later superintendent of schools at Socorro, he read law, and while asso-

ciated with the state department of education, was admitted to the New Mexico Bar. He served as assistant district attorney, being a law partner of A. A. Sedillo. Later, he became an assistant attorney general of the State.

Mr. Lougee was a member of the Masonic Lodge at Jefferson, Maine; of the Scottish Rite Consistory at Santa Fé, and the Lawyers Club at Albuquerque. He was never married. The only surviving relative is a cousin, Mrs. Eva Fowler of Hampden, Maine.

Burial took place in Fairview Park Cemetery, Reverend C. Leslie Curtice and Temple Lodge of Masons officiating.

Harry Lee Patton

Death came to Judge Harry Lee Patton at his home in Clovis, New Mexico, in the early morning of Sunday, June 29, 1941, the result of a stroke suffered thirty minutes before. He had been in ill health for several years, but had heard cases in court and visited friends on the Friday and Saturday preceding his passing.

Harry Lee Patton was born at Pea Ridge in Benton County, Arkansas, on June 19, 1875, the son of Captain William F. Patton and Nannie C. Patton, *née* Perkins. He received his education in the common schools and in a college in his home town of Bentonville, Arkansas. For his life work, he chose the legal profession and was admitted to the practice of law in the year 1896 at the age of twenty-one years. In the same year, he was elected to the Arkansas state legislature, serving two terms in that office.

He was married to Miss Lillian H. Carnahan on November 2, 1899. To this marriage were born three children, Perkins LeFevre, Lillian Elizabeth, now Mrs. Edwin Hobbs, and William Henry. His son Perkins LeFevre Patton died in 1934.

In 1906 he moved from Arkansas to Texico, New Mexico, where he practiced his profession for several years, removing to Clovis, New Mexico, in 1911, where he has

since resided. He was elected to the office of attorney general of the State of New Mexico in 1916, and served his state in that capacity for one term, thereafter returning to the city of Clovis. In the practice of his profession, he was associated at various times with U. S. Circuit Judge Samuel G. Bratton, U. S. Senator Carl A. Hatch, and his son Perkins L. Patton. He was appointed to the office of district judge in 1929 to fill out an unexpired term of Judge Carl A. Hatch, and was elected to the office in 1930 and again in 1936. He was serving in that capacity at the time of his death.

In addition to his son, William Henry Patton of Washington, D. C., and his daughter, Mrs. Edwin Hobbs of Melrose, New Mexico, he is survived by five grandchildren, Nancy Jane Hobbs, Harry Lee Patton, James Winton Patton, Perkins LeFevre Patton, and Peter Carnahan Patton; one brother, W. E. Patton and one sister, Miss Anna Patton, both of Bentonville, Arkansas; and his widow Mrs. Harry L. Patton of Clovis.

Judge Patton in early boyhood united with the Presbyterian Church and was subsequently ordained a ruling elder, serving as such for many years.

Funeral services were held at the Charles V. Steed Memorial Chapel at Clovis by the Reverend A. J. Luck of the Tucumcari Presbyterian Church, assisted by the Reverend Clyde Barton of the First Presbyterian Church of Clovis. Burial was in the Clovis cemetery beside the grave of his late son, Perkins L. Patton.

Charles C. Gilbert

After long illness, Attorney Charles C. Gilbert died at Hot Springs, Sierra County, on Wednesday, March 26, 1941, at the age of sixty-two years. Born at Hackett, Sebastian County, Arkansas, on January 14, 1879, the son of Franklin M. Gilbert, a Civil War veteran, and his wife, Mary Frances Inman Gilbert, he attended the public schools before moving to Oklahoma and thence to Roswell, New

Mexico, in 1897, where he was employed by the El Capitan Land and Cattle Company. Later he engaged in well drilling, putting down a deep well for the Santa Fé Central Railroad, which employed him thereafter as a brakeman on the run from Torrance to Santa Fé.

Gilbert had read law in the office of James S. Arnett of Oklahoma, and resumed his study in the offices of Judge W. W. Gatewood, Judge G. A. Richardson, and Attorney U. S. Bateman at Roswell, being admitted to the New Mexico Bar in 1912, at the age of thirty-three. That year he entered into a partnership with Attorney O. O. Askren, this partnership being dissolved in 1915. Active as a democrat, he became a member of the state central committee and served as an alderman on the Roswell City Council.

In 1938, Gilbert moved to Hot Springs, New Mexico, continuing in the practice of law. He was a member of the Fraternal Order of Eagles, and Woodmen of the World. On September 3, 1910, he was married to Kate G. Moffitt, a daughter of John Moffitt, and contracted a second marriage with Elma Fresquez, both surviving him, together with the children of the first marriage, J. Charles Gilbert of Roswell, Gatewood Gilbert of Kansas City, and Mrs. R. D. Haire of Denver. Reverend Father Dold of the Hot Springs Catholic Church conducted the funeral service.

Respectfully submitted,

PAUL A. F. WALTER, *Chairman*
Committee on History and Necrology
of the New Mexico Bar Association.

Enoch L. Enloe

Dr. Enloe, former president of Silver City Teachers College (1914-19), died on January 20 last, at his home in Socorro. He was 74 years old and had been retired for the last six years.

The educator was born Nov. 23, 1865, at Hickory Hill, Mo. He was educated in the public schools of Missouri and was graduated from the Kansas State Normal School at Emporia. For four years he was superintendent of schools at Columbus, Kan., and was president of the South-eastern Kansas Teachers Association. Later he moved to Colorado and became principal of the Columbian School at Trinidad.

Dr. Enloe came to New Mexico in 1904 as principal of the new normal training school at Silver City. For ten years he was teacher in that institution and for five years president. In the Normal in 1906 he started the first summer school in New Mexico, beginning with an enrollment of eighteen students. In 1912 he was named member of the State Board of Education and served more than twelve years, being chairman of the board for six years. He was the author of the teacher certification system of the state.

In 1920 he was elected superintendent of the Socorro schools and served there until 1928. He taught in the Bernalillo schools seven years ago. Dr. Endoe lived in Albuquerque several times, in 1920, and while he was teaching at Bernalillo. At one time he served as justice of the peace in Albuquerque. His wife died in 1934, and he had lived in Socorro since 1936.

Funeral services were held in Socorro and burial was in Sunset Memorial Park in Albuquerque.— *Albuquerque Morning Journal*.

NOTES AND COMMENTS

Meaning of "Jícara."—Under date of August 15, our always interested and interesting fellow member, Mrs. Barbara Aitken, writes from Broughton, England:

I have just been enjoying a particularly good number of the REVIEW. In Mr. Kelly's concluding installment a trifling correction might be made—p. 158, where *como una jícara* is translated as "a cupful." Altho' *jícara* in Spain and in Mexico is used of a gourd mounted as a chocolate-cup, and by extension, of other cups (so that *dar una jícara* means "to give poison to someone in a cup of chocolate"), in New Mexico Spanish it has also the meaning "basket." The shallow Apache baskets are always called *jícaras* by the Santa Clara Indians, and I always understood that the Jicarilla Apaches were so called from their basket making. "A basketful of corn" makes sense.

It was Mrs. Aitken who, a few years ago, secured for our Society from the Blackmore estate in England our important "Blackmore Papers" which relate to New Mexico land grants.

September meeting.—At the regular meeting of the Society on September 16, the following constitutional amendment was recommended by the executive council for adoption at the October meeting:

That Article IV of the constitution be amended so as to read:

Article IV. *Officers.* The elective officers of the Society shall be a president, a vice-president, a corresponding secretary, a treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

The program for the evening was the showing of four sound movies which had been sent to Mr. Bloom by Miss Irene Wright of the division of cultural relations, in the

department of state, Washington. Miss Wright and her mother were living in Sevilla, Spain, when Mr. and Mrs. Bloom were there in 1928-29, and Miss Wright visited the University campus in May while on a good-will tour for the state department.

The films were of Brazil, Peru, Chile, and the Argentine, each fifteen minutes in length, and were exceptionally well planned to give a portrayal of typical scenes: landscape, occupations, population types, and family home life. The meeting was held in the Women's Board Room of the Art Museum which was packed with a capacity crowd of about two hundred.

INDEX

- Abeita, Pablo, necrology, 120-122
- Abel, Annie Heloise, (ed.), "Indian Affairs in New Mexico under the Administration of William Carr Lane, from the Journal of John Ward," 206-232, 328-358.
- Abiquin. *See* Abiquiú
- Abiquiú, *genísaros* at, (1747), 69; raided (1747), 180; (1852-3), 224, 225, 332, 334, 349, 351; an old Spanish trail, 372, 373, 375
- Abó pueblo, mention, 9; abandoned, 13
- Abra (the opening) of Fray Marcos was perhaps Chinipas Valley, 237-8
- Acámbaro, town of, *encomienda* of Bocanegra, 418-9, 424
- Acoma Indians, forced to work (1749), 62-63
- Acoma pueblo, (1598), 4
- Adaës mission (1719), mention, 257
- Aguátubi pueblo, shown on 1778 map, 46 (note)
- Aguila Negra, Navaho chief, mention (1853), 343-4
- Aguilar, Lic. Marcos de, acting governor of New Spain (1526), 415 (note)
- Aguilera, Doña Teresa de, mention (1662), 192, 198, 202
- Aitken, Mrs. Barbara, comment by, 446
- Aiton, A. S., cited, 404, note; 427-8, note
- Alameda pueblo, abandoned (1630), 42, 44
- Albuquerque, troops at, 133
- Albuquerque, mention (1748), 48
- Alcaldes mayores*, charges against, 165, 316
- Algodones, Town of, mention (1853), 350
- Alvarado, Jorge de, son-in-law of Estrada, 402
- Alvarado, Fray Tomás de, mention (1663), 29-30
- Amador, Martín, "of Carlsbad," 392, 394-7
- Amsden, Charles, cited, 3
- Anaya, Cristóbal, mention of his *encomienda* (1664), 191-2
- Anaya, Francisco de, "the younger," mention (1664), 192
- Anaya Almazán, Francisco de, mention of *encomienda*, 36; suspect of Holy Office (1665), 314-5
- Ancheta, J. A., of Silver City, data; against statehood (1895), 101-2
- Anderson, Clinton P., mention, 115
- Angostura, mention (1753), 171
- Anton Chico, mention (1852), 231
- Apache, origin of name, 1; early contacts, 1-14; lived in pueblos (1599), 4; failure of mission efforts (1630), 8; Faraones, 49; in Texas (1848), 128; 18th century, 172-3, 180; a servant flayed (1661), 190; planned league (1852), 215; attacks (1667-80), 322. *See* slaves.
- "Apache Menace of the Southwest, Beginnings of," Donald D. Worcester, 1-14
- Apáçeo, the Bocanegra estate of, 422, 423, 424
- Arizona, first entry by whites, 233
- Armijo, Jr., Isidoro, quoted (1900), 388, 392 (note)
- Arny, W. F. M., agent at Fort Defiance, (1873), 276
- Arrapahoes, mention (1852), 215
- Arroyo Hondo (near Santa Fé), mention (1853), 356
- Ashley, Sir William H., mention, 367, 371
- Austin, troops at, 131 (note)
- Autos de fe*, relation of secular authority to, 188; that of Feb. 3, 1668, in Mexico City, 198-9
- Axtell, Samuel B., mention (1890), 71
- Ayeta, Fray Francisco de, quoted (1679), 13; commissary of Inquisition, 314
- Baca, Valentín C. de, of Bernalillo county, mention (1895), 99
- Baeza, Francisco de, quoted (1639), 9; estimate as governor, 325
- Bailey, George, special Indian agent, 135
- Bailey, Jessie B., *Diego de Vargas and the Reconquest of New Mexico, 1692-1704*, rev'd, 108-111
- Baird, S. M. Indian agent (1852), 219 (note), 232, 328, 335, 347, 349
- Baker, Judge Grafton, mention (1853), 333
- Baker, Lieut. Lawrence S., mention (1853), 376
- Bancroft, H. H., quoted, 1; cited, 41-69 *passim*
- Bandelier, A. F. A., quoted on hostile Indians, 172-3; on site of Vacapa (1539), 246
- Barclay, —, license to trade with Indians (1852), 222
- Barclay's Fort (on the Mora), 339
- Barra, Jr., Luís L. de la, mention, 423 (note)

- Barrida, Ignacio de la, *alcalde mayor* of Zuñi (1750), 64, 66 (note)
- Bartlett, John N., mention (1852), 369, 370
- Bartlett-Condé compromise on boundary, 207-8, 209
- Bayecitos, Los, 217
- Beale, Lieut. Ed. F., on way to Calif. (1853), 346, 375-6. *See* Beall
- Beale's Crossing, 139
- Beall, Lieut.-Col. Benj. L., mention (1853), 373, 374
- Beaubien, Judge Carlos, 218, 224, 358, 368, 377, 378
- Beck, Jr., Preston, named appraiser (1853), 334
- Beckwith, Lieut. H. E., mention (1853), 376
- Benavides, Fray Alonso de, quoted, 6-8
- Bender, A. B., "Military Posts in the Southwest, 1848-60," 125-147
- Bennett, I. L., Indian trader (1880), 286
- Bennett, Capt. [F. T.], for Navaho agent, 280; mention, 284, 291, 292, 296 (note), 303, 304, 306-7
- Bent, Charles, mention (1833), 368, 378
- Bent's Fort, mention (1853), 373, 374, 376
- Benton, Senator Thomas H., (1853), 370, 375
- Berger, W. M., quoted (1894), 82
- Bernal, Fray Juan, quoted (1669), 12-3; custodian (1679), 313; 315, 320
- Beveridge Committee, at Las Cruces (1902), 394-7
- Bibliography of the Navaho Indians* by Kluckhohn & Spencer, rev'd, 107-8
- Bigler, Gov. [John], (Calif.), quoted (1856), 139-40
- Bishop of Durango, and New Mexico, 161-2, 317-8
- Blackmore Papers, mention, 446
- Blanco, Maricopa chief (1827, 1852), 370
- Blancpain, Joseph, French trader (1754), 271
- Bloom, L. B., rev's, Bailey, *Vargas and the Reconquest*, 108-111; Caughey, *California*, 112-4; criticized by Sauer, 233 *et seq.*; editorial "Was Fray Marcos a Liar?", 224-6; cited, 273; "The Coronado-Bocanegra Family Alliance," 401-31; rev. *Colorado* by Fritz, 433-5
- Bloom, Maude McFie, "Childhood Memories of the Rio Grande in Flood," 359-365
- Bocanegra, Bernaldino de, son-in-law of Coronado, 402, 405 (note), 406 *et seq.*
- Bocanegra, Hernán Pérez de, 401-431 *passim*
- Bolton, H. E., cited, 2, 3, 4, 5; quoted, 111, 266, 267, 270, 271
- Bonneville, Col. [B. L. E.], mention, 135
- Boyd, Dr. Nathan S., and Elephant Butte, 381
- Bradley, Col. [Luther P.], commanding Fort Wingate (1882), 288, 292; quoted (1881), 308, 310
- Buchanan, W. F., mention, 247
- Buell, Col. [G. P.], quoted (1880), 292, 302, 304
- Burke, W. S., of Pacific Coal Co. (1882), 291
- Buffalo, 3, 4; hides (1539), 241
- Burgos, Juan de, the *encomienda* of, 402
- Bustamante, Gov. Juan Domingo de, edict (1724), 259-260
- Bustamante, [Pedro de], cited (1582), 3
- Bustamante y Tagle, Bernardo Antonio de, mention (1748), 47-8; (1750), 63-4, 169, 182, 266, 269
- Byrnes, Dr., of U. S. Army (1852), 206 (note)
- Cabeza de Vaca, Alvar Núñez, differences as to route, 233; mention, 240
- Cabildo* of Santa Fé, wrote letters vs. Franciscans (1667), 317-9
- Cachupín. *See* Vélez Cachupín
- Cadillac, La Mothe, mention, 250, 253
- Calhoun, James S., mention, 206
- California*, by J. W. Caughey, rev'd, 112-4
- Camino real*, mention (1659), 11
- Camp Bragg (Calif.), 138
- Camp Colorado (Texas 1856), 130
- Camp Cooper (Texas 1856), 130
- Camp Far West (Calif.), 137
- Camp Gaston (Calif.), 138
- Camp Hollenbush (Calif.), 138
- Camp Hudson (Texas), 131 (note), 132
- Camp Verde (Texas), 131 (note)
- Camp Wood (Texas 1857), 131
- Camp Wright (Calif.), 139
- Camp Yuma, (1850), 137; Fort (1859), 139
- Camp occupied in Texas, temporary, 132 (note)
- Campaign (1747), great, 174
- Canada, proximity to New Mexico (1715), 256
- Cañada Alamosa, Navaho trouble at, (1882), 288, 289
- Cannon, mention (1663), 28
- Cañon de Chelly, mention, 288 (note), 285

- Cantonment Burgwin, 133
 Carson, Kit, mention, 368, 369, 378
 Casa Grande ruin, a watch tower, 2
 Casa Grandes, mention, 17 (note)
Casa Real, in Santa Fé (1664), 192
 Castañeda, Pedro de, cited, 2, 3
 Castaño de Sosa, cited, 3-4
 Catron, Thomas B., delegate (1895-7), mention, 70, 81; quoted 81-2; 85-6; 95, 97; quoted (1893), 102-3; 380, 390
 Cattle, with Castaño (1590), 4; in 18th century, 167
Catzinas, resumed at Sandía and Isleta, 316
 Caughey, John W., *California*, rev'd, 112-4
 Cayuela, Fray Miguel Gómez, at Taos (1750), 69
 Cebolleta, mission at La, (1746), 60-7
 Chacón, chief of Jicarillas (1853), 333, note, 340, 351
 Chapuis, Jean, mention (1752), 270-1
 Chaves, Amado, quoted on Navahos (1878), 284
 Chaves, Francisco de, *conquistador*, mention, 403, 413 (note), 417-3
 Chaves, J. Francisco, mention, 385, 386, 387
 Chaves, General [Manuel A. ?], at Abiquiú (1852), 224
 Chávez, Nuño de, second Bocanegra son-in-law of Coronado, 402, 418, 420, 421, 423
 Cheyennes, mention (1852), 215
 Chichilticalli, mention, 236
 Childers, [W. B.], mention (1891), 94 (note)
 Chilili pueblo, abandoned, 13
 Chino, Rancho del, (Calif.), 138
 Chiquagua, (1739), 364. *See* Chihuahua
 Chocolate, mention (1663), 25
 Church-State crisis (1749), 148-171
 Cía pueblo, mention (1852), 219
 Cíbola, monograph by Sauer cited, 233; Fray Marcos and, 235, 236, 241, 242; mention, 401, 426; "plains of Cíbola," 428 (note)
 Clancy, Frank W., letter to Catron (1895), 101; 387
 Clarke, Gen. N. S., mention (1857), 138
 Cleveland, Pres. Grover, as to New Mexico statehood, (1894), 75-6
 Coal miners, at Gallup, killed a Navaho (1882), 288
 Cochetopa Pass, (Colorado), 371-5
 Cochiti Indians, paid tithe (1852) to vicar, 215
 Codallos y Rabal, Gov. Joaquín, 46, 47, 57, 58, 151; decree (1744), 174; great campaign (1747), 174; 180; quoted (1748), 265
 Collier, Capt. T. W., Ratón editor, quoted (1894), 90; 391
Colorado, the Centennial State, by P. S. Fritz, rev'd, 433-5
 Comanches, Franciscans and, 67-8; in 1848, 128; 18th century, 171-183 *passim*; (1852), 215, 225, 229, 231; (1748), 265, 267, 269, 270
 Compostela, 100 leagues south of Culiacán, 236, 237, 245
Comprehensive Index for Vols. I-XV of the *Review* announced, 114
 Conkling, Judge Alfred, of N. Y., in Mexico, 210
 Connelly, Henry, had sheep stolen (1882) by Navaho, 288; "Dr." and freighter (1853), 336
 Conrad, Secy. of War Charles M., (1851), 129, 139, 142
 "Contraband Trade between Louisiana and New Mexico in the 18th century," by Polmer, 249-274
 Cooke, Col. Philip St. George, mention (1846), 369; 375
 Coolidge (Ariz.), ruin at, 2
 Copper mines agency (1852), 224, 232
 Córdova, Fernando de, son of Bocanegra, mention, 415, 420, 421 (note)
 Coronado, Francisco Vázquez de, evidence from his letters (1539), 244-6; "Coronado-Bocanegra Family Alliance," 401-431 *passim*; date of death, 408; place of burial, 423 (note)
 Coronado, Juan Vázquez de, a brother of Don Francisco, 429
 Coronado, Doña Marina Vázquez de, second daughter of Coronado, 425, 431
 Coronado expedition, and the Apache, 2-3
 Coronado Library, mention, 401 (note)
 Cortez, Hernán, mention (1539), 240; 402
 Cortés, Martín, oldest son of Hernán. *See* Valle, Marqués del
 Cortinas, Mexican bandit, mention, 132
 Corwin, Thomas, of Ohio, interest in New Mexico, 215 (note)
 Cotton, 18th century, 159, 176
 Crespo, Bishop, 161, 162
 Covarrubias, Fray Bernardo López de, witness vs. Peñalosa, 20
 Crawford, William S., detective, killed in Albuquerque (1881), 293 (note)
 Crist, J. H., criticized (1901), 390-1
 Cruzate y Góngora, Gov. Gervasio, mention (1734), 55

- Cuarac pueblo, abandoned, 13
 Cuartejejo, El, mention (1727), 260
 Cubero, mention (1750), 63-5
 Culberston-Stephens bill (1901), 382
 Culiacán, mention (1539), 235, 244, 245
 Cushing, Frank H., mention (1882), 290
 Custodian, Franciscan; authority discussed (1663), 25-27, 28; succession, 313. *See* Bernal; Mirabal; Paz; Posada; Talabán; Velasco; Varo
- Damon, Anson C., Indian trader (1880), 286
 Dargan, Marion, "New Mexico's Fight for Statehood, 1895-1912," 70-103; 379-400
 Davenport, Judge J. J., mention (1853), 356
 Davis, Sec'y of War Jeff., cited, 140
 Davidson, Charles, Indian trader (1880), 286
 De Bourgmond, Etienne Veniard, (1724), 260, 261, 273
 D'Eglise, Jacques, mention, 273
 De la Harpe, Bernard, cited, 254, 257
 Delgado, Fray Carlos, to Moqui (1742), 43-7, 52; to Navaho (1744-5), 56-9; at Isleta, 59; (1740), 69; wrote denunciation (1750), 150-170 *passim*
 Delgado, Simón, of Santa Fé (1853), 352
 Depew, E. N., (of Taos ?), mention (1853), 357
 Dodd, Theodore H., Indian agent, (died 1869), 306, note
 Dodge, Henry, agency butcher (1880), 298, 311
 Dodge, Capt. Henry L., agent killed by Apaches (1856), 135, 306, note; earlier false report of killing (1853), 346, 347, 348, 349, 357
 Dogs, mention, 3
 Domínguez, Francisco, mention, 17 (note)
 Domínguez de Mendoza, Francisco, 189, 191
 Domínguez de Mendoza, Juan, campaigns, 9-10, 32; *escudero*, 33, 34; suspect of Holy Office (1666), 315-7, 319; former *alcalde mayor* of Sandía and Isleta, 316
 Domínguez de Mendoza, Tomás, 15, 20, 32, 34, 35, 185, 187
 Donnelly, T. C., necrology "Arthur S. White," 122-4
 Dorantes de Carranza, cited, 403 (note), 413 (note), 424
 Downs, Francis, mention (1892), 97
 Doyle, —, license with Barclay to trade with Indians (1852), 222
 Drew, William, in Indian trade (1853), 354
 Dunham, Harold H., *Government Handout: a Study in the Administration of the Public Lands, 1875-1891*, rev'd, 435-8
 Dunne, S. J., Rev. Peter M., *Pioneer Black Robes on the West Coast*, rev'd, 111-2
 Du Pratz, Le Page, quoted, 250-3
 Durán de Armijo, Fray Antonio, letter (1748) to governor from Taos, 265-6
 Durán y Chávez, Cristóbal, arrest (1663), 22, 27; made *escudero*, 33
 Durán y Chávez, Pedro, arrested (1663), 22, 27, 30, 34
- Earle, Inspector A. L., quoted (1873), 281
 Eastman, Galen, Navaho agent (1879), 282-312 *passim*
 Elephant Butte project, (1901), 381
 Elizacochea, Bishop, 162
 Elkins, Stephen B., 97, 437
 Ellison, Samuel, ranch in Galisteo (1852), 230, 328, 334; 339, 352
 Ellison, William H., cited 137 (note)
 El Paso, early jurisdiction discussed, 17 (note)
 Encinal, mission (1749) for Navaho, 60-7
Encomenderos, mention (1638), 8; and *escuderos* (1664), 191-2; illegal holdings (1563), 401-3
Encomiendas, two seized (1662), 33; 3 mentioned, 36, 191-2; Burgos to Coronado, 402; Acámbaro, 419
 Enloe, E. L., necrology, 445
 Enríquez, Fray Nicolás de, guardian of Santa Fé convent (1663), 28; wrote satire on civil authorities (1667), 318, 319
 Escobar y Llamas, Father Cristóbal, Jesuit provincial (1745), quoted, 52-4
Escuderos, appointed (1663), 33, 191-2
 Espejo, Antonio, cited, 3
 Espeleta, Fray Joseph de, at Isleta (1663), 29-31; estimate of, 324
 Estevanico, the negro, 236, 241, 242, 243, 244
 Estrada, Alonso de, mention, 402, 408, 415
 Estrada, Doña Beatriz, wife of Coronado, 402, 406, 408, 421
 Eulate, Gov. Juan de, estimate of, 325
 Ewell, Capt. [R. S.], mention (1853), 348
Exponi nobis, papal bull, mention, 28
- Fair, at Taos (1749), 266
 Fall, Albert B., mention (1895), 88
 Famine, (1659?), 11; (1668), 13
 Fauntleroy, Col. Thomas T., 136

- Febvre, Louis, at Santa Fé (1749), tailor and barber, 266, 267, 270
- Federal land laws, divergent views on administration of, 436 *et seq.*
- Fergusson, H. B., delegate (1897-9), mention, 70, 74, 88
- Fernández Duro, Cesareo, cited, 204
- Feuilli, Louis, mention (1752), 270-1
- Fitzpatrick, Maj. Thomas, mention (1852), 215
- Florida, Coronado "discovered" the land of, 428
- Floyd, Sec'y of War John, mention (1859), 141
- Folmer, Henri, "Contraband Trade between Louisiana and New Mexico in the 18th century," 249-274
- Foreman, Grant, "Antoine Leroux," 367-378
- Fort. *See* Camp
- Fort Apache, mention (1882), 290 (note)
- Fort Arbuckle (1834), 130
- Fort Belknap (Texas), mention (1854), 128, 129, 132
- Fort Bent. *See* Bent's Fort
- Fort Bliss, 132
- Fort Breckenridge, 135
- Fort Brown (Texas, 1846), 126, 131, 132
- Fort Buchanan, 135
- Fort Chadbourne (Texas 1852), 129
- Fort Clark (Texas 1852), 129, 132
- Fort Cobb (Indian territory), 130
- Fort Conrad, 133, 134
- Fort Craig, 134
- Fort Croghan (Texas, 1849), 128
- Fort Crook (California), 138
- Fort Davis (Texas), 132
- Fort Defiance, 133 (note); (1852), 219; (1878), 275, 279, 282-3, 296; three teachers fled (1880), 300-2
- Fort Duncan (Texas 1849), 131, 132
- Fort Ewell (Texas), 131 (note), 132
- Fort Fillmore, 133, 135
- Fort Garland (Colorado, 1858), 135
- Fort Gates (Texas, 1849), 128
- Fort Graham, (Texas 1849), 128, 132
- Fort Humboldt (California), 138 (note)
- Fort Inge (Texas), 131 (note)
- Fort Jones (California), 138
- Fort Lancaster (Texas 1855), 131
- Fort Lane (California), 138
- Fort Laramie, mention (1852), 214; treaty (1851), 215 (note)
- Fort Lincoln (Texas), 131 (note), 132
- Fort Mann (Kansas 1847), 126
- Fort Marcy (1846), 126-7, 133
- Fort Martin Scott (Texas 1848), 131, 132
- Fort Mason (Texas 1851), 128, 132
- Fort Massachusetts, 133, 135, 217; (1853), 373, 376
- Fort McIntosh (Texas 1850), 131
- Fort McKavett (Texas 1852), 129, 132
- Fort Merrell (Texas), 131 (note)
- Fort Miller (California), 138
- Fort Mojave (California), 139
- Fort Phantom (Texas 1851), 129
- Fort Polk, (Texas 1846), 126, 131
- Fort Quitman (Texas), 132
- Fort Reading (California), 138
- Fort Selden (1884), 361
- Fort Stanton, 134
- Fort Stockton (Texas), 132
- Fort Tejon (California), 138 (note)
- Fort Terrett (Texas), 131 (note)
- Fort Terwaw (California), 139
- Fort Thorn, 134, 135; washed away (1884), 361
- Fort Umpqua (California), 138
- Fort Union, 133, 206 (note)
- Fort Washita (1834), 130
- Fort Webster, 133, 134, 135; (1853), 208 (note), 342, 345, 347
- Fort Wingate, mention (1878), 278, 279, 288, 302
- Fort Worth, (Texas 1849), 128, 132
- Franciscan Missions, "of New Mexico, 1740-60," by H. W. Kelly, 41-69, 148-183; summary by Scholes on 17th century, 323-7
- Freeman, A. A., of Carlsbad, 389, 393 (notes)
- Freeman Report (1853), cited, 131 (note)
- Freitas, Fray Nicolás de, chaplain of Peñalosa, 18-20, 24-5, 36, 193, 195, 197, 204; at Acoma (1666), 315, 316-7
- Frémont, John C., mention (1853), 370, 373, 374
- French, in 18th century trade, 177, 250 *et seq.*
- Frerger, Numa, mention (1880's), 364-5
- Fritz, Percy S., *Colorado*, rev'd, 433-5
- Frost, Max, mention (1892), 80, 437
- Fuerte river (Mexico, 1539), 240-1
- Gadsden, James, appointed to Mexico (1853), 210-11
- Gadsden Purchase, and defense problem, 134
- Galisteo, raided (1751), 174-5; (1750), 180; *pedreros* dismantled, 181

- Gallegos, José Manuel, elected delegate (1853), 212
- Galloway, Tod B., edited Greiner letters, 207 (note)
- Gallup, a killing in (1882), 288; a tent saloon destroyed, 293-4
- Ganado Mucho, Navaho chief (1878), 279, 283 (note), 291, 294, 311
- García, Fray Andrés, in Navaho missions (1749), 61; 150, 170
- Gardesky, Martin, necrology, 119-120
- Garland, Gen. [John], 353 (note), 356, 357
- Garizanos*, about 1300 (1749), 68; at Tomé, Abiquiú, Taos, San Juan, 69
- Gerhart, Herbert B., mention, 439
- Gila River, visited by Gov. Lane (1853), 208; crossing of (1539), 236
- Gilbert, Charles C., necrology, 443-4
- Glorieta, mention (1853), 355, note
- Gold mining, (1853), 333
- Gomes, Gonçalo, witness (1562) for Boca-negra, 414, 415
- Gómez Robledo, Francisco, mention (1663), 33, 36, 189, 191-2
- González Lobón, Diego, mention (1663), 35
- Gorman, Rev. Samuel, at Laguna (1852), 219
- "Government and the Navaho, 1878-83," by Reeve, 275-313
- Government Handout: a Study in the Administration of the Public Lands, 1875-1891*, by H. H. Dunham, rev'd, 435-8
- Governors, severe charges against, 165, 176, 178-9
- Gracia. *See* López de Gracia
- Grants: Ledoux, 367 (note); Antoine Le-roux, 368, 377; Maxwell, 436
- Graves, Indian agent C. A., 356, 357
- Greiner, John, journal cited, 206 (note); 207, 215 (note), 222, 336 (note), 343 (note)
- Grier, Maj. William N., mention (1849), 369
- Griffin, W. W., 437
- Gruber, Bernardo, Inquisition case (1668), 320-1
- Guadalupe Hidalgo, Treaty of, mention, 207
- Guaiabe*, folded wafer-bread, 158
- Guerra, Fray Salvador de, mention (1662), 17, 21, 196; (1665), 314
- Guevara, Fray Miguel de, quoted (1662), 16-20; 36, 195
- Gunnison, Capt. J. W., mention (1853), 376, 377
- Hackett, Charles W., cited, 41-69 *passim*, 204
- Hadley, Hiram, father of Walter, 100
- Hadley, Walter C., worked against state-hood, 99-102
- Hafen, LeRoy R., (with C. C. Rister), *Western America*, rev'd, 432-3
- Hallenbeck, Cleve, cited, 233
- Hammond, Geo. P., rev's, *Western America* by Hafen and Rister, 432-3
- Hammond and Rey, *Narratives of the Coronado Expedition*, cited, 421 (note), 427-8 (note), 430
- Hammond, Inspector J. H., cited (1878), 283; 286
- Haring, C. H., cited, 249
- Harrison, Pres. William H., ignored New Mexico (1891), 75
- Hatch, Senator Carl A., mention, 115
- Hatch, General Edward, mention (1877), 276; (1880), 292-3; quoted 306
- Hatch's Ranch on Gallinas river, soldiers posted at, 135
- Hawikúh pueblo, abandoned (1670), 13
- Hay, George W., necrology, 439-40
- Head, Lafayette, Indian agent (1853), 345, 351
- Hemes. *See* Jémez
- Heredia, Capt. Cristóbal de, mention (1590), 4
- Hernández, Mrs. B. C., "Death of Dr. J. W. Whitlock," 104-6
- Hernández, Fray Juan Joseph, at Sandía (1748), 48
- Herrera, Fray Blas de, lay brother (1663), 23-4, 28 (note); quoted, 36-7
- Hersch, Joseph, warned not to sell an Indian (1852), 223
- Hill, W. W., rev's, Kluckhohn & Spencer, *Bibliography of the Navaho Indians*, 107-8; cited on Navaho, 296 (note)
- Hodge, F. W., cited 2-3
- Hoffman, Col. William, mention (1859), 139
- Holman, James W., mention, 104
- Hopkins, Jr., L. N., of Santa Fé (1880), lost ranch in Navaho country, 287 (note); post trader at Wingate (1882), 297
- Horses, taken in raids (1600), 5-6; (1659), 11; value to Apaches, 13-14; strange to Pawnees (1720), 258
- Houck, Louis, cited, 273
- Houghton, Joab, mention (1857), 368
- Hovey, O. P., in Indian trade (1853), 354, 358

- Howard, Henry Hammond, influential editor (1901), 385, note
- Hubbell, Charles, agency interpreter (1880), 298
- Huerta, Toribio de la, messenger (1661), 189, 190
- Hughes, Anne, cited, 17 (note)
- Huning, Louis, of Albuquerque, breached contract (1880), 296, 300
- Hurdaide, Capt., mention, 111
- Ibargaray, Fray Antonio de, estimate of, 324
- Icaza, F. A., cited, 403 (note), 407 (note), 418 (note)
- Illiteracy (in 1890), 76
- "Indian Affairs in New Mexico under the Administration of William Carr Lane. From the Journal of John Ward," by Annie H. Abel, 206-232, 328-358
- Indian agents, 218 (note), 224. *See* Army, Baird, Dodd, Dodge, Greiner, Head, Irvine, Keam, Keithly, Miller, Overman, Pyle, Steck, Ward, Whiting, Wingfield
- "Indian Ring," 298. *See* "Santa Fé Ring"
- Inquisition in New Mexico, 14-40 *passim*; commissaries of, 313 *et seq.*
- Irigoyen, Fray José Trigo, at Jémez & missionary labor (1744), 46, 56-7
- Irvine, Alexander, Indian agent (1877), 275
- Isleta pueblo, mention (1742), 43, 44; complaint (1852) vs. their governor, 228
- Ivers, William, in Indian trade (1853), 351
- Jackson, Rev. Sheldon, quoted (1880), 301, note; 304
- Jail, at Santa Fé (1661) in the *casa de Cabildo*, 190
- Jaramillo, Gerónimo, witness (1750), 160-1
- Jefferson Barracks (Mo.), mention (1851), 129
- Jémez Indians, mention (1622), 6; 9, 11, 44; Fray Irigoyen (1744), 57; (1852) 215; Navaho agency at pueblo (1852), 219 (note); object to new road through their fields (1853), 346
- Jenneret, J., of Santa Fé (1853), 352
- Jesuits, rivals of Franciscans, 50-4; book by Dunne, rev'd, 111-2
- Jesup, Q. M. Gen'l T. S., cited, 140
- Jicarilla Apaches, mission (1733) on Rio Trampas, 55; visit Santa Fé (1852), 213; home at Las Truchas, 216; 221, 222, 231; at Antón Chico (1854), 328, 329, 340, 345, 348
- Jicara, meaning, 158, 446
- Johnston, Col. Joseph E., mention, 135
- Johnston, J. L., of Santa Fé, alleged head of "Ring" (1882), 297
- Jones, Henry Bert, necrology by Walter, 247-8
- Jones, Paul A., cited, 421, 423
- Joseph, Antonio, delegate to Congress (1885-95), 70, 72, 74, 85, 102, 380
- Juarez, Fray Andrés, estimate of, 324
- Julian, Surveyor General Geo. W., 436
- Jumano pueblo. *See* Humanas
- Jumanos Indians, (1748), 267, 268-9
- Junta de los Rios, presidio needed (1749), 149
- Jurupa, Rancho del, California, mention, 137
- Keam, Thomas V., 275-7, 280, 286, 289 (note), 297, 302, 304, 305, 306, 309, 311-312
- Keithly, [Levy J.], Indian agent, mention (1853), 349
- Kelly, Henry W., "Franciscan Missions of New Mexico, 1740-60," 41-69, 148-183, 447
- Kern, R. H., artist, mention (1853), 372
- Kiowas, in Texas (1848), 128, 215
- Kluckhohn, Clyde, *A Bibliography of the Navaho Indians*, rev'd, 107-8
- Lacome, Auguste, of Taos, mention (1853), 214 (note), 328
- Lacome, John, Frenchman of Taos, mention (1852), 214, 216, 218
- Ladd, H. O., quoted (1887), on Navaho divisions, 283 (note)
- Lane, William Carr, Indian affairs under, (1852-3), 206-232, 328-358; proclamation on boundary, 209, 336 (note); supported by Pierce administration, 210; candidate for congress (1853), 211; to Socorro, 218; 331, 334, 338-356 *passim*
- Larrazolo, O. A., mention, 387
- La Salle expedition, and Peñalosa, 204
- Las Salinas, pueblos of, 11; pueblo abandoned, 13
- Las Vegas de Santa Clara (Nevada), mention (1853), 373, 374
- La Toma del Rio del Norte, end of New Mexico, 17 (note)
- Ledoux, Antonio, facts about, 367 (note), 368, 378
- Leonard, William B., trader's clerk at Ft. Defiance (1882), 297, 308
- Lepanto, battle of, mention, 429 (note)

- Leroux, Antoine, paper by Grant Foreman on, 367-378
- Lezaún, Padre Juan Sanz de, cited, 44 (note), 49 (note); at Encinal (1749), 60; ejected (1750), 64; 150; at Santa Ana, 157-160
- Llewellyn, W. H. H., quoted (1895), 101-2
- Logan, Gen'l. John G., mention, 360
- López de Gracia, Capt. Andrés, first *alcalde mayor* of El Paso, 17
- López de Mendizábal, Gov. Bernardo, 10, 12, 17 (note); 184, 189; estimate of, 325
- López Zambrano, Capt. Andrés, an *alcalde mayor* (1663), 37
- Los Humanas, pueblo, 9, 13
- Lougee, George C., necrology, 441-2
- Louisiana, contraband trade between N. Mex. and, 249-274
- Lucero, José and Pedro, of Mora (1852), 220
- Lucero de Godoy, Juan, mention (1663), 22, 189
- Lucero de Godoy, Pedro, mention (1663), 35
- Luna, Solomon, mention, 385, 386, 387
- Luxán, Doña Ysabel de, oldest daughter of Corcnado, 406, 408, 421
- Lyons, Dr., at Fort Selden (1884), 361, 364
- McClellan, Capt. Geo. B., cited, 142
- McFie, Judge and Mrs. John R., in the 1880's, 359-365
- Mackenzie, Col. R. S., mention (1882), 288, 309
- McNeil, Inspector John, quoted (1880), 305-6
- McNett, Dr. J. B., at Fort Defiance (1879-80), 298, note; 300-1, 305 (note)
- Majors, Alexander, mention (1853), 356
- Mallet expedition (1739), 261-3
- Mangas Coloradas, Apache chief, mention (1853), 342
- Mansfield, Col. J. K. F., inspection of Dept. of Texas (1856), cited, 133 (note)
- Manso de Contreras, Gov. Juan, mention, 10, 12, 15, 17 (note); officer of Inquisition, 188-9, 192, 195
- Manso de Valdez, Pedro, lieut.-gov. (1663), 24-5
- Manuelito, Navaho chief (1878), 281, 283 (note), 284, 285, 291, 294, 310-1
- Manypenny, George W., Indian commissioner and author, 343, note
- Manzanares, José Antonio, prefect of Rio Arriba county (1853), 224, 329
- Map (1941) of military posts in Southwest 1848-60, *facing* 125
- Margil de Jesús, Fray Antonio, in Texas (1719), 257
- Maricopa Indians, fight with trappers (1827), 370
- Marín del Valle, Gov. Francisco Antonio, mention, 149
- Marsillo, Father. *See* Margil de Jesús
- Martin, [W. E.], of Socorro county (1895), mention, 98-9
- Martínez, Father Antonio José, mention, 368, 378
- Martínez, Rómulo, post trader at Defiance (1882), 297
- Massey, Dr., of Santa Fé (1852), 206 (note), 331
- Matheson, the Rev. Mr., at Las Cruces (1880's), 364
- Maxwell, Lucien B., took sheep from Taos to Salt Lake (1852), 374; 437
- Maxwell Land Grant, litigation discussed, 436 *et seq.*
- Mayo River (1539), mention, 236
- Mayorazgo*, the Bocanegra, 408 *et seq.*
- Mayors, Alexander. *See* Majors
- Medals, silver, sent by President Fillmore (1852), 230
- Medrano y Mesía, Gov. Juan de, (1668-71), allusion to, 322
- Menaul, Dr. John, mention (1877), 276
- Menchero, Fray Juan Miguel, mention (1748), 47, 55, 60, 62, 65-7, 69 (note)
- Mendizábal. *See* López de Mendizábal
- Mendoza, Viceroy Antonio de, mention (1539), 239, 241; 402, 403, 412, 424, 430, 431
- Mendoza, Don Francisco de, son of Viceroy (Don Antonio), mention, 412
- Mendoza, Gov. Gaspar Domingo de, mention (1742), 43-6; (1740), 68; decree of, 174
- Mendoza, Gov. Mateo Antonio, mention 149
- Merchandise, scarcity of, 249
- Meriwether, Gov. David W., appointed (1853), 348-9, 353, 355, 356-8
- Merritt, E. S., acting agent of Moquis, quoted (1880), 299, note; 305
- Mescalero Apaches, mention (1852), 216; at Anton Chico (1853), 328
- Mesilla, old plaza (1884), 362
- Mesilla Valley, Apaches and, 134; wanted (1848), 208; (1853), 209, 337
- Messervy, Wm. S., territorial secretary (1853), 341, 354
- Mestizos*, mention (1639), 9

- Miera y Pacheco, Bernardo, 1778 map cited, 46 (note); at Paso del Norte (1751), 269
- Miles, Col. [D. S.], mention, 135
- Military Departments, (1848), 127 (note); New Mexico, 133; California, 136, 139; Pacific, 138, 139
- "Military Posts in the Southwest, 1848-60," by Bender, 125-147
- Miller, James H., Navaho agent, killed (1872), 281 (note), 306 (note)
- Miller, Lorion, sec'y of territory (1894), 87, 90, 91
- Mills, M. W., of Springer, 391
- Mínguez, Fray Juan, data on, 258 (note)
- Mirabal, Fray Juan [Joseph Pérez de], at Jicarilla mission (1734), 55; at San Juan (1750), 69; custodian (1747), 180
- Miranda, Gov. Juan Durán de, mention (1664), 35, 40; allusion to (1671-5), 322
- Missions, Franciscan, use of gifts, 57, 64-7; work criticized, 151-171. *See* Scholes, Kelly
- Moquis, in 1740, 41-54; in 1852, 219 (note)
- Mora, [Vidal], of Bernalillo Co., mention (1895), 99
- Morales, Francisco, discussed *encomenderos* (1563), 401-3
- Mormon War, mention, 135; Mormons crowded Navaho (1878), 285; in railroad camps (1880), 292; "tampering with Navaho," 301 (note), 303, 304; at Ojo San José (1853), 374
- Morton, Andrew, banker, 391-2
- Moya, Pedro Martínez de, 19 (and note)
- Mules, mention (1659), 11, 12
- Murphy, Nathan Oaks, Arizona delegate to Congress (1895-7), 102
- Nangle, Dr., at Santa Fé (1853), 352
- Natchitoches, mention, 253, 255, 256, 264
- Navaho, mention, 1, 2, 3, 6; Franciscans and, 54-67; 18th century, 172; league planned (1852), 215; federal government and (1878-83), 275-313; five divisions (1887), 283 (note)
- Necrology: Mrs. Henry Woodruff, 116-7; James Leon Seligman, 117-9; Martin Gardesky, 119-120; Pablo Abeita, 120-2; Arthur S. White, 122-4; report (1941) to the State Bar Association, 439-444
- Newspapers, various Territorial, quoted, 70-103 *passim*, 379-400 *passim*
- Niza, Fray Marcos de, the Vienna Manuscript described by Hammond, 115; paper on his credibility by Sauer, 283-43; editorial by Bloom, "Was Fray Marcos A Liar?", 244-6
- Nomad Indians, New Mexico and, 171-183
- "Northern Mystery," revived (1745), 59
- Núñez, Pero, witness (1562) for Bocanegra, 414
- Nutria Valley, mention (1882), 290
- O'Brien, James, chief justice, mention (1892), 97; 389
- Ojo San José, Mormons at (1853), 374
- Oñate, Cristóbal de, as witness for Bocanegra (1562), 414; 420 (note); house in Mexico, 422
- Oñate "el joven," Cristóbal de, executed (1568) for conspiracy, 420 (note)
- Oñate, Juan de, quoted, 4-5
- Oñate, Juan de, uncle of New Mexico's governor, mention, 420 (note)
- Opata settlements, on Fray Marcos' route (1539), 233-4, 236, 241-2
- Orcoquisac, El, mention (1755), 272
- O'Reilly, Henry, quoted (1857), 140
- Ornedal y Maza, Juan Antonio de, inspector (1749), 149-170 *passim*; 181
- Oronsoro, Fray Juan José, mention, 150
- Ortiz, Tomás, prefect of Santa Fé county (1852), 212 (note)
- Ortero, A. J. (Judge Antonio José Otero), sent to Isleta (1852), to investigate trouble, 228; 331
- Otero, Antonio José. *See* Ortero
- Otero, Gov. Miguel A., quoted (1903), 96; 331 (note), 337
- Our Lady of Victory, Feast of, established (1770), 173
- Overman, Charles, Indian agent, (1852), 221, 232
- Pacheco, Doña Beatriz, wife of Hernán Pérez de Bocanegra, 403, 409, 413
- Pacheco, Francisco, son of Bocanegra, mention, 415, 420, 421 (note)
- Pacheco, Juan, cattle ranch of, gotten by Bocanegra, 422
- Pacheco, Don Juan, a Bocanegra son who died young, 417 (note)
- Pacheco de Córdova y Bocanegra, Don Francisco, son of Nuño de Chaves and grandson of Coronado, petition to King (1605), 424-31
- Pacheco y Cárdenas, errors in their *Documentos inéditos* discussed, 233
- Painting, Pueblo practice (1630), 7
- Pajarito pueblo, abandoned (1680), 42, 44
- Paraje, town now submerged by dam, 365

- Parke, Lieutenant, mention (1853), 372
- Parraga, Fray Diego de, mention (1663), 23-4
- Parral, town (1659), 10, 12, 15, 16, 17 (note), 34; Peñalosa at (1664), 184, 196
- Patton, Harry Lee, necrology, 442-3
- Pawnee Indians massacre Spaniards (1720), and unfamiliar with the horse, 258
- Paz, Fray Juan de, custodian (1665), 40, 313-321 *passim*
- Pecos Indians, hostile (1608), 6; Comanche ambush (1750), 181-3
- Pecos pueblo, mention (1663), 22, 25; raided (1746, 1748), 174; French trader at (1744), 264-5
- Pedraza, Fray Jerónimo de, estimate of, 324
- pedreros* (stone mortars), at Galisteo (1749), 181
- Peñalosa, Diego de, quoted (1665?), 12; vs. Posada, 15-40; Inquisition trial (1665), 184 *et seq.*; in England and France (1669-87), 203-5
- Perea, Fray Estévan de, estimate of, 324
- Pera, Pedro, delegate (1899-1901), mention, 70, 102
- Pérez de Bocanegra. *See* Bocanegra
- Pérez Hernández, *Diccionario geográfico*, quoted, 424, note
- Perkins, Mrs. J. D., at Fort Defiance, against Eastman (1882), 311
- Perrillo, Apaches del, 7
- Petatlán, mention, 240
- Picuries, hostile (1608), 6
- Piedra lumbre*, used (1630), 7
- Pima Village, mention (1852), 217; villages (1539), 234
- Pimería Alta, mention (1741), 51, 53
- Pino, Fray Ignacio Pedro, mention (1742), 44; 170
- Pino (Pinito), of Doña Ana county, mention (1895), 99
- Piñon nuts, in trade (1749), 176
- Pioneer Black Robes on the West Coast*, by Dunne, rev'd, 111-2
- Piros, discontent (1660's), 12
- Pizarro, Gonzalo de, in Perú, mention, 412, 416
- Placer gold mines, mention (1853), 333
- Pojoaque pueblo, mention (1852), 215
- Ponce de León, Juan, *conquistador*, mention, 407
- Ponce de León, Doña Leonor, daughter of Bocanegra, 407, 418, 421 (note)
- Ponce de León, Luís, governor of New Spain, 403, 412, 414, 415
- Ponce de León, Luís, third Bocanegra son-in-law of Coronado, 402, 418, 420, 421 (note)
- Pope, Capt. John, quoted (1859), 140-1, 142, 144-5
- Pope, General [John], mention (1880), 302-3, 306-7
- Posada, Fray Alonso, against Peñalosa, 15-40; arrested (1663), 25-31, 187-8, 191, 313, 314
- Prada, Fray Juan de, quoted (1638), 8
- Presidio del Norte, mention (1717), 255
- Prichard, Col. Geo. W., data on, and mention (1892), 97
- Priestley, H. I., error noted, 420 (note)
- Prince, L. Bradford, mention (1890), 71; (1893), 92; quoted (1880), 301-2; 437
- Prudo, Nicolás, of San Miguel, license (1852) to trade with Comanches, 232
- Pueblo Indians, community land, 213, 217, 220; marriage customs, 213; citizenship, 213; tabulated (1941), 214; effect of 17th century church-state controversy on, 326-7; pueblo officers installed (1853) by Supt. of Indian Affairs, 329-30; first contact with white men, 401
- Purdy, J. H., lawyer of Santa Fé (1902), 394
- Pyle, John E., Indian agent (1878), 275, 278-285, 295
- Querechos, 3, 4
- Quinn, James H., mention (1853), 358
- Quirós, Fray Cristóbal de, estimate of, 324
- Quivira, mention (1662), 204
- Ramírez, Francisco, mention, 17 (note)
- Ramírez, Fray Juan (founder of Acoma mission), estimate of, 324
- Ramírez, Fray Juan (the custodian), quoted (1659), 10-12; claim vs. Peñalosa, 202
- Ransom, Lieutenant, mention (1853) at Taos, 357
- Raynolds, Jefferson, mention, 247; (1901), 391, 393 (note)
- Real provisión*, explained, 404 (note), 427-8 (note), 430 (note)
- Reed, Rev., mention (1852), 219
- Reeve, Frank D., "The Government and the Navaho, 1878-83," 275-312
- Renehan, A. B., paper at conference (1923) cited, 220 (note)
- Residencia*. *See* López de Mendizábal; Miranda; Peñalosa
- Revolts, Indians, 9, 12-3

- Reynolds, Chas. A., necrology, 440-1
- Rincón, junction for the El Paso branch (1884), 359
- Ringgold Barracks (1848), 126, 131, 132 (note)
- "Rio Grande in Flood, Childhood Memories of the," by Maude M. Bloom, 359-365
- Rister, Carl C., (with L. R. Hafen), *Western America*, rev'd, 432-3
- Robertson, James, in Indian trade (1853), 351
- Robinson, John, sheriff of Mora county, 104
- Robinson, Josefita Whitlock, wife of John, 104
- Robledo Pass, near Fort Selden, 362
- Rodey, Bernard S., delegate (1901-5), mention, 70, 381, 387, 390
- Rollins, John H., special U. S. Indian agent, quoted (1850), 143 (note)
- Romero, Diego, mention (1663), 33, 36, 191
- Romero, Pedro, a witness at Cebolleta (1750), 66 (note)
- Rosas, Gov. Luís de, estimate of, 325
- Ross, Edmund G., editor *Deming Headlight* (1891), quoted, 79; 84, 94 (note)
- Roybal, Fray Santiago, at Santa Fé (1739), 262-4
- Rubio, Fray Joseph, in Navaho missions (1749), 61
- Russell, Dr. Carl P., mention, 115
- Russians of Pacific coast, mention, 113-4
- Ruyamor, Capt. Fernando, *alcalde mayor* of Acoma and Laguna (1750), 64, 66 (note)
- Sabine, James E., appraiser (1853), 334
- St. Bernard, mission on Rio Grande (1717), 255
- St. Denis, Juchereau de, mention, 250, 253-5
- St. Vrain, Cerán, mention, 368, 373
- Salas, Fray Juan de, estimate of, 324
- Salazar, Gonçalo de, house in Mexico, 422
- Salazar, L., of San Miguel (1852), 225, 231
- Samaniego, Gov. Juan de, mention, 9
- San Antonio, troops at, 131 (note)
- Sánchez, Pedro, quoted (1893), 103
- "Sanctuary" right of, violated (1663), 22, 30
- Sandía pueblo, abandoned (1680), 42, 44; resettled (1748), 47-9; church mentioned (1665), 314
- Sandoval, Navaho chief (1852), 219-220
- Sandoval, Felipe de, Spanish refugee (1750), 268-9
- San Felipe, mention (1659), 11
- San Francisco, Fray García de, mention, 17 (note); estimate of, 324
- San Francisco presidio, 127
- San Gabriel river (Calif.), fort on the, 137
- San Ildefonso, mention (1659), 11; (1852), 220
- San Isidro, mention (1878), 284
- San Juan Bautista (on lower Rio Grande), 253, 255
- San Juan de los Caballeros pueblo, *genízaros* at (1750), 69; (1852), 220
- San Luís Valley, described (1853), 372
- Santa Clara pueblo, mention (1630), 7; 43, note; 216, 217, 220
- Santa Cruz, Francisco de, *regidor* who resigned office for Coronado, 403, 404
- "Santa Fe Gang," mention (1891), 79; alleged members of "Ring," (1882), 297
- "Santa Fe Ring," assailed by Agent Eastman (1882), 297; 307, 309, 312, 437. See "Indian Ring"
- Santander, Fray Diego de, mention (1663), 25; at Acoma (1666), 315-6
- Santo Domingo pueblo, mention (1663), 22-3
- Sauer, Carl O., "The Credibility of the Fray Marcos Account," 233-243
- Scholes, France V., "Troublous Times in New Mexico, 1658-70," 15-40, 184-205, 313-327
- Seaburg, Hugo, of Ratón, 391
- Secular priests, proposed (1750) for El Paso and Santa Fé, 152-3, 161
- Seligman, James Leon, necrology, 117-9
- Semaneros*, Pueblo Indians in weekly service, 166-8
- Senecú pueblo, abandoned, 13
- Seward, William H., mention (1853), 375
- Shaw, Rev., chaplain at Fort Defiance (1852), 219; reported killed near Fort Defiance (1853); false, 346, 347
- Sheldon, Gov. L. A., quoted (1882), 288
- Sherman, General, [Wm. T.], visited Fort Defiance (1878), 280, 285; quoted (1881), 289; mention (1880), 303, 305 (note)
- Sierra Blanca (Colorado), 371, 374
- Sierra Moganos, Mescaleros at (1852), 220
- Silver, bullion (1660), 184-5
- Simpson, Harry, clerk at Navaho agency (1879), 298
- Sinclair, Harry, agency clerk (1880), 305
- Sitgreaves, Capt. Lorenzo, mention (1851), 369, 375

- Slaves, Apaches seized, 4; Navaho, 10, illegal, 10-12; 38; 106
- Smith, Claude T., necrology, 441
- Smith, Supt. F. W., of Atlantic and Pacific R. R., mention (1882), 288
- Smith, Rev. Geo. G., Presbyterian at Santa Fé (1878), quoted, 280-1
- Smith, Hugh N., mention (1857), 368 (note)
- Smith, James M., Indian agent (1853), 349, 356
- Soldiers, mistreatment of the 80, (1750), 179
- Sonora, trade (1665?), 12
- Soto, Hernando de, mention, 428, (note)
- Spies, Charles, mention (1895), 390
- Springer, Frank, criticized by Dunham, 438
- "Statehood, 1895-1912, New Mexico's Fight for," Marion Dargan, 70-103, 379-400
- Steck, Michael, Indian agent (1852), 227, 229, 231, 328, 332, 335; to Fort Webster, 345, 348, 350, 352, 358
- Steen, Maj. [Enoch], commanding Fort Webster (1853), 347
- Stover & Co. (Albuquerque), contract (1880) for windmills, 294
- Sulzbacher, Luis, quoted (1894), 82; mentioned (1892) for chief justice, 97
- Sumner, Col. E. V., 207, 210, 211; controversy (1853) with Gov. Lane, 343-5; 349, 353 (note)
- Sutherland, James R., quoted (1882) vs. J. L. Johnston & Co. of Santa Fé, 297, 298; 302, 305
- Talabán, Fray Juan, custodian (1667), 313
- Tamuche, war captain, of Capote Utahs (1852), 224
- Taos, troops at, 133; Indian annuities distributed (1852), 216-7, 224; in Mexican times, 367-378 *passim*
- Taos Indians, hostile (1608), 6
- Taos pueblo, *genisaros* at, (1750), 69
- Taos fair, annual, 176-7, 178
- Tapia, Father Gonzalo de, Jesuit proto-martyr, mention, 111
- Tarver, B. E., quoted (1857), 140
- Taylor, Rev. Charles A., Presbyterian missionary among Moqui (1880), 304
- Teguayó, El Gran, described (1745), 58-9
- Teller, (U. S.) Senator, criticized, 436, 437
- Tewa Indians, refugees in Hopiland, 43, note
- Texans (Asinay Indians), 256, 257
- Texas (1848), 8th Military Department, 127
- Thomas, A. B., quoted, 259; cited, 270 (note)
- Thomas, B. M., Pueblo Indian agent, quoted (1882), 290
- Thornton, Gov. Wm. T., called convention (1893) on statehood, 72-3; quoted (1894) 82; (1895), 88
- Tigua Indians, fled (1680) to the Moqui, 42
- Tithes, paid (1852) by Pueblos to vicar in Santa Fé, 215
- Tlapa, the *repartimento* called, 402, 403 (note)
- Toledo, Fray Juan José, 46; at Pecos (1752), 270
- Toma. *See* La Toma
- Tomé, founded with *genisaros* (1740), 68-9
- Torija, Fray Gabriel de, quoted (1662), 16, 25
- Torre, Fray Rodríguez de la, visited Moqui (1775), 49
- Townsend, Inspector E. B., quoted (1880) 296, 297, 300, 302, 304, 305
- Trade, between Louisiana and New Mexico, 249-274
- Trail, Louisiana to Santa Fé, 263-4, 272-4; Santa Fé to California (1853), 372, 373
- Trampas river (1733), 55
- Tremiño, Francisco, Inquisition case (1670), 321
- Treviño, Gov. Juan Francisco de, (1675-77), supported friars with force, 322
- Trias, Gov., of Chihuahua (1853), 209 (note), 210, 337
- Trigo, Fray Cayetano, in Navaho missions (1749), 61
- Trigo, Fray Manuel de San Juan Nepomeceno y, mention (1749), 61; vice-custodian (1750), 63-4; 150
- "Troublous Times in N. Mex., 1650-70," by F. V. Scholes, 15-40; 184-205, 313-327
- Trujillo, Diego de, *alcalde mayor* of El Paso, 17 (note)
- Turquoise, seen in Sonora (1539), 241
- Twitchell, R. E., quoted, 1; cited, 44-8, 69 206; quoted 264-6, 382, 436-7
- Ugarte, Gov. Hernando de, cited (1653), 9
- Utes, fighting Navaho (1748), 60; 18th century, 172, 174; (1852), 215, 216; waiting for Indian supt, in "Los Bayecitos," 217, 218, 222 (note) 224; (in 1880), 301 (note), 303, 304; (1853), 329, 345, 348, 351, 357, 369
- Vacapa, Sauer's locating of, questioned, 245-6

- Vales (notes in hand), mention (1664), 35
 Valle, Alexander, Frenchman in Pecos Valley (1853), 354-8 *passim*
 Valley Ranch (Pecos), origin, 354
 Valle, Marqués del, conspiracy (1566), 419-420, 423
 Vaquero Apaches, mention 2, 3, 6, 8
 Vargas and the Reconquest of New Mexico, 1692-1704, Diego de, by Bailey, rev'd, 108-111
 Varo, Fray Andrés, mention, 41; cited (1749), 61; 149-150, 154, 155, 156-7, 160, 164-5; report cited, 175-6, 178
 Velasco, Fray Francisco de, quoted (1608), 6
 Velasco, Fray José Ortiz de, custodian (1733), 55
 Vélez Cachupfn, Gov. Tomás, 60; shot a neophyte at Cebolleta (1749), 61-3; 149, 160, 168-9, 170, 171; campaign (1751), 174-5; 179, 180, 181
 Velo (Belleau?), Jacques, (1744), 264-5
 Vermejo, Fray Manuel, at Cebolleta mission (1749), 60; ejected (1750), 64; 150; at Zía, 157-160
 Vetancurt, Fray Agustín de, quoted 322-3
 Vial, Pierre, trailmaker, 272-4
 Vicar, at Santa Fé (1740), 262; one wanted (1667), 318-9
 Villanueva, Gov. Fernando de, mention, 12, 40, 314, 319
 Villazur expedition (1720), mention, 258
 Waco Indians, 128
 Wagner, Henry R., cited by Sauer, 233, 239
 Wagons, mention (1659), 11; (1677), 13
 Wallace, Governor Lew, mention, 436
 Walpi, mention, 43 (note), 48 (note)
 Walter, P. A. F., rev's, Dunne, *Pioneer Black Robes on the West Coast*, 111-2; necrologies on Woodruff, J. L. Seligman, Gardesky, 116-120; "Henry Bert Jones," 247-8; rev's, Dunham, *Government Hand-out*, 435-8; necrologies on G. W. Hay, C. A. Reynolds, Claude T. Smith, Geo. C. Lougee, H. L. Patton, Chas. C. Gilbert, 439-444
 Ward, John, journal (1852-3), 206-232, 328-358; his census of Pueblo Indians cited, 207
 Warner, Capt. Wm. H., murder of, 137
 Warner's Ranch (Calif.), fort at, 137
 Watts, Judge John S., arrival (1852), 221
 Weaving, by Indians, 159, 161, 168
 Webb, James J., named appraiser (1853), 334; 347
Western America, by Hafen and Rister, rev'd, 432-3
 Wethered, Geo. W., at Santa Fé (1853), 352
 Wharton, S. M., editor (1901), 389-90, 393 (note)
 Whipple, Lieut. A. W., and Leroux, 376, 377
 White, Arthur S., necrology, 122-4
 White, Mrs. J. M., Indian captive (1849), 333, 369
 White party massacre (1849), Indian side, 333, note; 369
 Whiting, David V., sec'y of J. S. Calhoun (1852), 227 (note), 229, 230, 232, 334
 "Whitlock, Death of Dr. J. W.," by Mrs. B. C. Hernández, 104-6
 Whitlock, Mrs. Josefita Lucero, wife of Dr. Whitlock, 104
 Whitlock, Jr., the Rev. J. M., facts about, 104, 105
 Whitney, Dr. Walter, at Fort Defiance (1878), 275 (note), 298
 Whittlesey, Lieut. Joseph H., mention (1849), 369
 Wilbar, A. P., U. S. surveyor general, (1861), 368, note
 Williams, George M. (Barnie), Indian trader (1880), 286; trader's agent at Pueblo, Colo. (1882), 297, 299, 300, 308, 309
 Windmills (in 1880), 294
 Wingfield, Edward H., Indian agent, 213 (note), 221, 224; report from Copper mines (1852), 232; (1853), 339, 349
 Woodruff, Mrs. Henry, necrology, 116-7
 Woolen mantas, in trade (1749), 176
 Worcester, Donald E., "Beginnings of the Apache Menace of the Southwest," 1-14
 Wright, Irene A., mention, 447
 Ximenez, Fray Lázaro, quoted, 5
 Yniesta, Fray Agustín de, chaplain (1750), 182
 Yrigoyen, Fray José. *See* Irigoyen
 Yraeta, Fray Cristóbal, quoted, 45
 Zacatecas, mention (1661), 189
 Zofre, Martín, ranch acquired by Bocanegra, 422
 Zubiria, José Antonio Laureano, bishop of Durango, mention, 378
 Zuñi, 235, 236, 242-3, 290. *See* Hawikúh

The Historical Society of New Mexico
(INCORPORATED)

Organized December 26, 1859

PAST PRESIDENTS

- 1859 — COL. JOHN B. GRAYSON, U. S. A.
1861 — MAJ. JAMES L. DONALDSON, U. S. A.
1863 — HON. KIRBY BENEDICT
adjourned sine die, Sept. 23, 1863

re-established Dec. 27, 1880
1881 — HON. WILLIAM G. RITCH
1883 — HON. L. BRADFORD PRINCE
1923 — HON. FRANK W. CLANCY
1925 — COL. RALPH E. TWITCHELL
1926 — PAUL A. F. WALTER

OFFICERS FOR 1940-1941

PAUL A. F. WALTER, *President*

JAMES F. HINKLE, *Vice-President*

MIGUEL A. OTERO, II, *Vice-President*

LANSING B. BLOOM, *Cor. Sec'y-Treas.*

MISS HESTER JONES, *Recording Secretary*

FELLOWS

- | | |
|---------------------|----------------------------|
| PERCY M. BALDWIN | EDGAR L. HEWETT |
| RALPH P. BIEBER | FREDERICK W. HODGE |
| WILLIAM C. BINKLEY | ALFRED V. KIDDER |
| LANSING B. BLOOM | J. LLOYD MECHAM |
| HERBERT E. BOLTON | THEODOSIUS MEYER, O. F. M. |
| AURELIO M. ESPINOSA | FRANCE V. SHOLES |
| CHARLES W. HACKETT | ALFRED B. THOMAS |
| GEORGE P. HAMMOND | PAUL A. F. WALTER |

CONSTITUTION
OF THE
HISTORICAL SOCIETY OF NEW MEXICO
(As amended Nov. 19, 1929)

Article 1. *Name.* This Society shall be called the Historical Society of New Mexico.

Article 2. *Objects and Operation.* The objects of the Society shall be, in general, the promotion of historical studies; and in particular, the discovery, collection, preservation, and publication of historical material, especially such as relates to New Mexico.

Article 3. *Membership.* The Society shall consist of Members, Fellows, Life Members and Honorary Life Members.

(a) *Members.* Persons recommended by the Executive Council and elected by the Society may become members.

(b) *Fellows.* Members who show, by published work, special aptitude for historical investigation may become Fellows. Immediately following the adoption of this Constitution, the Executive Council shall elect five Fellows, and the body thus created may thereafter elect additional Fellows on the nomination of the Executive Council. The number of Fellows shall never exceed twenty-five.

(c) *Life Members.* In addition to life members of the Historical Society of New Mexico at the date of the adoption hereof, such other benefactors of the Society as shall pay into its treasury at one time the sum of fifty dollars, or shall present to the Society an equivalent in books, manuscripts, portraits, or other acceptable material of an historic nature, may upon recommendation by the Executive Council and election by the Society, be classed as Life Members.

(d) *Honorary Life Members.* Persons who have rendered eminent service to New Mexico and others who have, by published work, contributed to the historical literature of New Mexico or the Southwest, may become Honorary Life Members upon being recommended by the Executive Council and elected by the Society.

Article 4. *Officers.* The elective officers of the Society shall be a president, two vice-presidents, a corresponding secretary and treasurer, and a recording secretary; and these five officers shall constitute the *Executive Council* with full administrative powers.

Officers shall qualify on January 1st following their election, and shall hold office for the term of two years and until their successors shall have been elected and qualified.

Article 5. *Elections.* At the October meeting of each odd-numbered year, a nominating committee shall be named by the president of the Society and such committee shall make its report to the Society at the November meeting. Nominations may be made from the floor and the Society shall, in open meeting, proceed to elect its officers by ballot, those nominees receiving a majority of the votes cast for the respective offices to be declared elected.

Article 6. *Dues.* Dues shall be \$3.00 for each calendar year, and shall entitle members to receive bulletins as published and also the *Historical Review*.

Article 7. *Publications.* All publications of the Society and the selection and editing of matter for publication shall be under the direction and control of the Executive Council.

Article 8. *Meetings.* Monthly meetings of the Society shall be held at the rooms of the Society on the third Tuesday of each month at eight P. M. The Executive Council shall meet at any time upon call of the President or of three of its members.

Article 9. *Quorums.* Seven members of the Society and three members of the Executive Council, shall constitute quorums.

Article 10. *Amendments.* Amendments to this constitution shall become operative after being recommended by the Executive Council and approved by two-thirds of the members present and voting at any regular monthly meeting; provided, that notice of the proposed amendment shall have been given at a regular meeting of the Society, at least four weeks prior to the meeting when such proposed amendment is passed upon by the Society.

Students and friends of Southwestern History are cordially invited to become members. Applications should be addressed to the corresponding secretary, Lansing B. Bloom, University of New Mexico, Albuquerque, New Mexico.

PUBLICATIONS FOR SALE

OLD SANTA FE, (the quarterly published in 1913-1916), 3 volumes, unbound. The seventh issue is almost exhausted, and volume II, number 2 is out of print. Vols. I and III, each \$4.00; Vol. II, numbers 1 & 4, each \$1.00 and number 3, \$5.00.

NEW MEXICO HISTORICAL REVIEW (quarterly, since January 1926)
 Volume I—Number 1 out of print. Other numbers \$2.00 each.
 Volume II—Number 1 (sold only in sets) \$3.00; numbers 2, 3, and 4, each \$1.00
 Volumes III to current year, per volume \$4.00
 By subscription, during current year \$3.00

Papers. Nos. 1 to 38 (1888 to 1935) List of titles sent on request.

ST. FRANCIS AND THE FRANCISCANS IN NEW MEXICO, 44 pp. ill., \$0.50

REPRINTS from the *Historical Review*, each \$0.25. Titles sent on request.

PUBLICATIONS IN HISTORY

- Vol. I—Fray Marcos de Niza's *Relación*, Span. and Eng. ed. by Percy W. Baldwin, 59 pp. (1926) \$0.60
- Vol. II—Juan de Oñate and the founding of New Mexico. Geo. P. Hammond. 228 pp., maps, bibliog., index. (1927) \$1.50
- Vol. III—New Mexico in the Great War, ed. by L. B. Bloom. 166 pp., index. (1927) \$1.50
- Vol. IV—The Gallegos Relation of the Rodríguez expedition to New Mexico, ed. by G. P. Hammond and Agapito Rey. 69 pp., maps, index. (1927) \$1.00
- Vol. V—Barreiro's *Ojeada sobre Nuevo Mexico* (1882), ed. by L. B. Bloom. 60 pp., ill. (1929) \$0.75
- Vol. VI—Indian Labor in the Spanish Colonies. Ruth Kerns Barber. 134 pp., bibliog., index. (1932) \$1.50
- Vol. VII—Church and State in New Mexico, 1610-1650, France V. Scholes. 206 pp., bibliog., index. (1937) \$1.50
- Vol. VIII—The American Occupation of New Mexico, 1851-52 Sister Mary Loyola. 166 pp., bibliog., index. (1939) \$1.50
- Vol. IX—Federal Control of the Western Apaches, 1848-1886. R. H. Ogle, 259 pp., bibliog., index. \$2.00

BOOKS OF THE LATE R. E. TWITCHELL

- Leading Facts of New Mexican History, 2 Vols., ill., index (almost exhausted) \$25.00
- Spanish Archives of N. Mex. 2 Vols., ill., index 12.00
- Military Occupation of N. Mex., ill. 394 pp. 2.50

(The above prices on books and quarterly sets are carriage extra.)

Address orders to

NEW MEXICO HISTORICAL REVIEW,
 Box 1704, Santa Fe, New Mexico.

